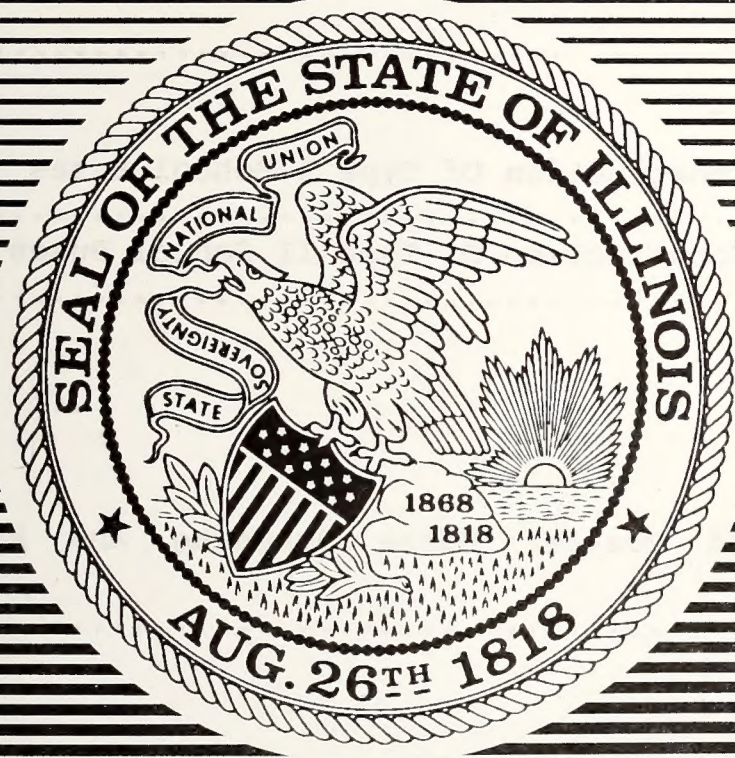


2001

# ILLINOIS

## REGISTER

RULES  
OF GOVERNMENTAL  
AGENCIES



Volume 25, Issue 25  
June 22, 2001

Pages 7,523 – 7,765

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**Editor's Note:** The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

Issue 16-April	14, 2000:	Data Through March	31, 2000
Issue 29-July	14, 2000:	Data Through June	30, 2000
Issue 42-October	13, 2000:	Data Through September	30, 2000
Issue 3-January	19, 2001:	Data Through December	31, 2000 (Annual)



## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

## REGISTER PUBLICATION SCHEDULE 2001

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 26, 2000	January 5, 2001	Issue 28	July 2	July 13
Issue 2	January 2, 2001*	January 12	Issue 29	July 9	July 20
Issue 3	January 8	January 19	Issue 30	July 16	July 27
Issue 4	January 16*	January 26	Issue 31	July 23	August 3
Issue 5	January 22	February 2	Issue 32	July 30	August 10
Issue 6	January 29	February 9	Issue 33	August 6	August 17
Issue 7	February 5	February 16	Issue 34	August 13	August 24
Issue 8	February 13*	February 23	Issue 35	August 20	August 31
Issue 9	February 20*	March 2	Issue 36	August 27	September 7
Issue 10	February 26	March 9	Issue 37	September 4*	September 14
Issue 11	March 5	March 16	Issue 38	September 10	September 21
Issue 12	March 12	March 23	Issue 39	September 17	September 28
Issue 13	March 19	March 30	Issue 40	September 24	October 5
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Issue 18	April 23	May 4	Issue 45	October 29	November 9
Issue 19	April 30	May 11	Issue 46	November 5	November 16
Issue 20	May 7	May 18	Issue 47	November 13*	November 26**
Issue 21	May 14	May 25	Issue 48	November 19	November 30
Issue 22	May 21	June 1	Issue 49	November 26	December 7
Issue 23	May 29*	June 8	Issue 50	December 3	December 14
Issue 24	June 4	June 15	Issue 51	December 10	December 21
Issue 25	June 11	June 22	Issue 52	December 17	December 28
Issue 26	June 18	June 29	Issue 1	December 26 (Wed. Noon)	January 4, 2002
Issue 27	June 25	July 6			

\* Tuesday 12 noon deadline following a state holiday.

\*\* Monday publication date following a state holiday.



## ATTORNEY GENERAL'S ETHICS COMMISSION

## NOTICE OF PROPOSED RULES

1) Heading of the Part: Complaint Procedure2) Code Citation: 2 Ill. Adm. Code 15203) Section Numbers: Proposed Action:

1520.10	New
1520.20	New
1520.30	New
1520.40	New
1520.50	New
1520.60	New
1520.70	New
1520.80	New
1520.90	New
1520.100	New
1520.110	New

4) Statutory Authority: 5 ILCS 425/55(1) and 60

5) A Complete Description of the Subjects and Issues Involved: The State Gift Ban Act [5 ILCS 425] provides for the establishment of ethics commissions to hear complaints of violations of the State Gift Ban Act and empowers each of those commissions to promulgate rules governing the performance of their duties. These rules add detail to the procedures prescribed in Section 60 of the Act.

Pursuant to these rules, complainants who file facially defective complaints will be advised as to the nature of the defects and be given assistance in curing those defects. Additional notice elements are prescribed based upon Article 10 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 10].

The rules provide for the exercise of the Commission's investigative powers at two stages of the proceedings -- a preliminary inquiry before the determinations of sufficiency and the existence of probable cause and before the closed meeting on the complaint by an examiner appointed to investigate the matter and report findings to the Commission and the parties. That report is to be made no later than at a preliminary conference held at least 24 hours before the closed meeting. Thereafter the examiner will assist the complainant and be responsible for coordinating the presentation of evidence of a violation to the Commission.

Provision is made for the appointment of an administrative law judge at the closed hearing stage as well as at the public hearing stage. The public hearing need not be before the entire commission. Other provisions deal with the issuance of subpoenas, the conduct of meetings and hearings, evidentiary matters and other procedural matters.

## ATTORNEY GENERAL'S ETHICS COMMISSION

## NOTICE OF PROPOSED RULES

6) Will this rulemaking replace any emergency rulemaking currently in effect?  
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: Neither creates nor modifies a state mandate within the meaning of 30 ILCS 805/3(b) of the State Mandates Act.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: During the first notice period by writing:

Shawn W. Denney, Chair  
Attorney General's Ethics Commission  
c/o Office of the Attorney General  
500 South Second Street  
Springfield, Illinois 62706  
(217) 782-9002

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The Commission has not engaged in rulemaking before.

The full text of the Proposed Rules begins on the next page:



## ATTORNEY GENERAL'S ETHICS COMMISSION

## NOTICE OF PROPOSED RULES

TITLE 2: GOVERNMENTAL ORGANIZATION  
 SUBTITLE E: MISCELLANEOUS STATE AGENCIES  
 CHAPTER II: ATTORNEY GENERAL'S ETHICS COMMISSION

PART 1520  
 COMPLAINT PROCEDURE

Section 1520.10	Definitions
1520.20	Complaints and Initial Notice
1520.30	Determination of Sufficiency and Probable Cause
1520.40	Closed Meeting on the Complaint
1520.50	Public Hearing
1520.60	Conduct of Meetings and Hearings on the Complaint
1520.70	Subpoenas
1520.80	Required Public Notice of Meetings and Hearings
1520.90	Meetings
1520.100	Filing of Papers
1520.110	Comments to Public

**AUTHORITY:** Implementing and authorized by Sections 60 and 55 of the State Gift Ban Act [5 ILCS 425/60 and 55]

**SOURCE:** Adopted at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 1520.10 Definitions**

"Act" means the State Gift Ban Act [5 ILCS 425].

"Chair" means the chairman of the Commission or his designee.

"Commission" means the Attorney General's Ethics Commission created by Section 45 of the Act.

"Valid complaint" means a complaint meeting the requirements of Section 1520.20(a) of this Part.

**Section 1520.20 Complaints and Initial Notice**

- a) To be considered by the Commission, a complaint must be in writing, signed and notarized, and allege a violation of the Act committed by a named employee of the Attorney General no more than one year before the complaint is filed.

- 1) Complaints should fully describe the incident and surrounding circumstances, including identification of others involved in the violation and their employers and other relevant contractual

## ATTORNEY GENERAL'S ETHICS COMMISSION

## NOTICE OF PROPOSED RULES

relationships, dates and places, etc.

- 2) If the complaint is in any way defective (e.g., no time frame given, not notarized, no allegation of any violation of the Act or of any facts that could possibly constitute a violation of the Act), the Chair shall, by certified mail, return receipt requested, notify the complainant that the complaint was not properly filed and identify each and every defect. The notice shall include a statement advising the complainant that the complaint may be resubmitted if the defects are cured.

- 3) A complaint or other report of an incident of a violation of the Act that is not made against an employee of the Attorney General will be forwarded immediately to the appropriate ethics commission.

- 4) The Chair shall provide assistance in preparing the complaint upon complainant's request.

- b) Upon receipt of a valid complaint, the Commission shall provide the notifications required by Section 60(b) of the Act to the respondent and the complainant. In addition to a statement of the time, place and nature of the meeting on the sufficiency of the complaint and probable cause, the notice to the respondent shall include:

- 1) a statement of the legal authority and jurisdiction under which the meeting is to be held with a citation to the particular Sections of the statutes and rules involved,
- 2) a short and plain statement of the matters asserted and the possible outcome of the meeting,
- 3) the official tracking number assigned to the matter, and
- 4) the names and mailing addresses of the administrative law judge, if any, all parties and all other persons to whom the Commission gives notice of the meeting.

**Section 1520.30 Determination of Sufficiency and Probable Cause**

- a) If the complaint is valid, the Chair shall review the complaint and prepare a recommendation to the Commission as to sufficiency and the existence of probable cause to proceed, which shall be considered at the Commission's meeting held pursuant to Section 60(c) of the Act.
- b) Part of the Chair's review may include, to the extent necessary, a preliminary inquiry of the complainant or sources identified by the complainant to develop or verify basic facts necessary to the existence of a violation (e.g., identification of the alleged violator as an employee of the Attorney General, the nature of the gift, the circumstances in which the gift was given). The results of this inquiry shall be considered as part of the evidence presented by the complainant in making the probable cause determination.

**Section 1520.40 Closed Meeting on the Complaint**

- a) If the Commission finds that the complaint is sufficient and that



## ATTORNEY GENERAL'S ETHICS COMMISSION

## NOTICE OF PROPOSED RULES

there is a reasonable ground for belief of the alleged facts, it shall appoint an examiner, licensed to practice law in Illinois, to investigate the allegations and to present evidence to the Commission in the closed meeting required by Section 60(d) of the Act.

- b) Notice of the meeting shall be given to the parties as required in Section 60(c) of the Act. The notice shall include, in addition to the information described in Section 1520.20(b) of this Part, a statement of the possible consequences of failure to respond.
- c) The examiner shall prepare a complete report of the results of the investigation, including any exculpatory evidence, for the Commission. The report shall be shared with the complainant and the respondent at or before a preliminary conference to be completed no more than 24 hours before the closed meeting. The parties may stipulate to, among other things, any or all of the facts contained in the report.
- d) The examiner shall assist or act for the complainant in the presentation of evidence to the Commission and shall be responsible for the coordination of the presentation of all evidence of a violation to the Commission.
- e) At the election of the Commission, the Chair, another member of the Commission, or an attorney designated by the Chair may act as administrative law judge to preside over the taking of evidence at the closed meeting.
- f) At the close of the taking of evidence and arguments, the Commission may move directly to deliberations and decision making or may direct the administrative law judge to prepare written findings of fact, conclusions and a recommended decision. Deliberations and decision making shall be conducted in closed session. A designee appointed to act as administrative law judge may assist the Commission in arriving at and preparing a decision.

## Section 1520.50 Public Hearing

- a) Should the respondent demand a public hearing after issuance of the Commission's preliminary recommendation or fine in accordance with Section 60(f) of the Act, the Commission shall appoint an attorney to act as administrative law judge to preside over the hearing. The person appointed shall, if possible, be the same person who presided over the taking of evidence in the closed meeting.
- b) The examiner shall assist or act for the complainant in the presentation of evidence and shall be responsible for the coordination of the presentation of all evidence of a violation.
- c) The parties may reintroduce any evidence admitted at the closed meeting. Documentary and physical evidence admitted in the closed meeting shall be admitted without need of laying foundations. The parties may recall witnesses that testified in the closed meeting or may rely on transcripts or recordings of their earlier testimony, which may, at the option of the offering party, be read or played at the public hearing.

## ATTORNEY GENERAL'S ETHICS COMMISSION

## NOTICE OF PROPOSED RULES

- d) New evidence may be presented by the parties or the examiner.
- e) The administrative law judge shall prepare findings of fact, conclusions of law, and a recommended decision for the Commission's consideration at a closed meeting to be held within 5 business days after the completion of the hearing, as required by Section 60(f) of the Act.

## Section 1520.60 Conduct of Meetings and Hearings on the Complaint

- a) Meetings and hearings on complaints shall be conducted in accordance with the contested case provisions of Article 10 of the Administrative Procedure Act [5 ILCS 100/Art. 10].
- b) Procedure
  - 1) The meeting or hearing shall be opened with an explanation of the procedure to be followed in the hearing.
  - 2) Upon motion of either party or at the discretion of the hearing officer, any or all witnesses may be sequestered.
  - 3) Preliminary matters such as objection to charges, disputes involving discovery, stipulation of facts and documents, and scheduling of witnesses may be resolved.
  - 4) Each party shall be given the opportunity to make a brief opening statement identifying the issues and indicating what is to be proven.
  - 5) Each party may call witnesses to testify on his/her own behalf. All witnesses shall testify under oath or affirmation. The respective parties may cross-examine opposing witnesses, and the examiner may also examine the witnesses.
  - 6) Before closing the hearing, the hearing officer shall allow both parties the opportunity either to make brief oral closing statements or to submit written closing statements.
- c) Motions
  - 1) Unless made orally on the record during a hearing, all motions shall be in writing and shall briefly state the order or relief requested and the specific grounds upon which relief is sought. Motions based on facts that are not in the record shall be supported by affidavit.
  - 2) The motion shall point out specifically the defects complained of and shall ask for appropriate relief, such as: dismissal of the action, more clear definition of a specific charge, etc.
- b) If the hearing officer determines that a witness is hostile or unwilling, the witness may be examined by the party calling him/her as if under cross-examination. The party calling a witness may, upon showing that he/she called the witness in good faith but is surprised by his/her testimony, impeach the witness by proof of prior inconsistent statements.
- e) If a party, or any person at the instance of or in collusion with a party, unreasonably refuses or fails to comply with this Part, or with any order of the Commission, Chair or administrative law judge, the



## ATTORNEY GENERAL'S ETHICS COMMISSION

## NOTICE OF PROPOSED RULES

administrative law judge or other presider may enter an adverse finding, order, or decision as may be necessary to ensure just disposition of the matter.

- f) The Commission shall have video or audio recordings made of meetings and hearings held under Sections 1520.40 and 1520.50 of this Part. The Commission shall have recordings transcribed at the request of any party, and shall make a copy available to the respondent without charge should the respondent appeal imposition of a fine to court.

**Section 1520.70 Subpoenas**

The Chair and the administrative law judges shall have the authority to issue subpoenas in the name of the Commission to compel the presence of witnesses at meetings, hearings or depositions or to compel the production of books and papers.

- a) Subpoenas shall be issued upon written request of the complainant, respondent or examiner if:
  - 1) the request is reasonably designed to produce or lead to the production of evidence related to the alleged violation,
  - 2) the terms of compliance are reasonable given the time frames and other circumstances, and
  - 3) the subpoena is properly prepared and presented for signature.
- b) Witnesses may be subpoenaed to give sworn evidentiary depositions, subject to cross-examination, if and only if they are unable to attend the meeting or hearing.
- c) A properly requested subpoena shall be issued within one business day after receipt of the request.

**Section 1520.80 Required Public Notice of Meetings and Hearings**

Where the Act requires that public notice of Commission meetings or hearings be given, the notice will be posted at the main Chicago and Springfield offices of the Attorney General. Notice of specific meetings or hearings will be given to anyone who makes a request for notice.

**Section 1520.90 Meetings**

- a) Business meetings of the Commission shall be governed by Roberts Rules of Order except to the extent that the Commission adopts specific procedures inconsistent with Roberts Rules.
- b) Except in cases of emergency, a member of the Commission must be physically present at the time and place of the meeting to be considered in attendance at a given meeting. In emergency situations members may attend by telephone or video conference so long as at least 3 of the members are physically present and if the persons seeking to attend by telephone/video make arrangements to do so with the Chair in advance.

## ATTORNEY GENERAL'S ETHICS COMMISSION

## NOTICE OF PROPOSED RULES

**Section 1520.100 Filing of Papers**

- a) Documents to be sent to, filed with, or served upon the Commission shall be addressed to the Chair, Attorney General's Ethics Commission, c/o Office of the Attorney General, 500 South Second Street, Springfield, Illinois 62706.
- b) Documents other than complaints may be filed with the Chair by facsimile transmission at a number designated by the Chair. Documents received by facsimile transmission after 4:45 p.m., in whole or in part, will be deemed received on the next business day.
- c) Documents may not be filed by e-mail or other form of electronic submission.

**Section 1520.110 Comments to Public**

It is the policy of the Commission that its individual members shall not comment publicly upon the merits of complaints that are the subject of Commission proceedings.



## LIQUOR CONTROL COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Beverage Alcohol Sellers and Servers Education and Training (BASSET) Programs

- 2) Code Citation: 77 Ill. Adm. Code 3500

- 3) Section Numbers:  
     3500.160  
     3500.170  
     3500.175
- Proposed Action:  
     Amendment  
     Amendment  
     New Section

- 4) Statutory Authority: 235 ILCS 5/3-12(a)(2) and (a)(11.1)

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking will amend a Section to require the Commission to issue completion cards to any person that has successfully completed a course by an Illinois BASSET licensee. The rule will also be amended to adjust the program time to take into account any new, innovative teaching methods. The rule will also be amended to specify that a sanction of a fine or suspension or revocation of a BASSET license can occur if the licensee is found to have violated any of the rules and regulations. The rule will also be amended to mandate that only those meeting the same Liquor Control Act eligibility requirements can be issued a BASSET license.

- 6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed new section contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Anne T. Treonis, Staff Attorney  
 Illinois Liquor Control Commission  
 100 W. Randolph St., #5-300  
 Chicago IL 60601  
 (312)814-2604

- 12) Initial Regulatory Flexibility Analysis:

## LIQUOR CONTROL COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

- A) Types of small businesses, small municipalities and not for profit corporations affected: Any entity that has or wants to obtain a BASSET license will be required to file additional reports.

- B) Reporting, bookkeeping or other procedures required for compliance: Minimal additional reporting requirements.

- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the Proposed Amendments begins on the next page:



## LIQUOR CONTROL COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH  
CHAPTER XVI: LIQUOR CONTROL COMMISSION

## PART 3500

BEVERAGE ALCOHOL SELLERS AND SERVERS EDUCATION  
AND TRAINING (BASSET) PROGRAMS

## Section

3500.101	Programs Subject to Licensure
3500.105	Purpose of BASSET
3500.110	License Applications
3500.115	Renewal Applications
3500.120	License Fees
3500.125	Period of Licensure
3500.130	Acceptance for Processing
3500.135	Non-Transferability of License
3500.140	Change in BASSET Program Director or Services
3500.145	Exceptions for BASSET Programs
3500.150	Compliance With Local Government Ordinances
3500.155	BASSET Curriculum Requirements
3500.160	BASSET Programmatic Requirements
3500.165	BASSET Program Fee
3500.170	Sanctions
3500.175	Eligibility Requirements

**AUTHORITY:** Implementing and authorized by Section 3-12(a)(2) and (11) of the Liquor Control Act of 1934 [235 ILCS 5/3-12(a)(2) and (11)].

**SOURCE:** Adopted at 20 Ill. Reg. 13591, effective October 3, 1996; codification change at 21 Ill. Reg. 9319; recodified from 77 Ill. Adm. Code 2057 to 77 Ill. Adm. Code 3500 at 23 Ill. Reg. 11342; amended at 24 Ill. Reg. 1630, effective January 14, 2000; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 3500.160 BASSET Programmatic Requirements

- a) The BASSET program shall include a minimum of six hours of classroom instruction. This instruction may be offered in one entire session or scheduled in increments over a specified period of time. The program time can be adjusted to take into account new, innovative teaching methods if approved by the Commission. Any off-premises-only BASSET licensee (including but not limited to: liquor, grocery or convenience store) that has an in-house training program shall include a minimum of four hours of classroom instruction, if approved by the Commission.
- b) At the time of application for licensure, the program must specify how the required curriculum hours will be scheduled.

## LIQUOR CONTROL COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

- c) BASSET programs shall design and administer a pre-test and post-test to participants to assess the program's effectiveness and any increase in knowledge in the curriculum areas. The pre-test and post-test must be submitted for review by the Commission at the time of application for licensure or prior to the provision of services.
- d) BASSET programs shall issue a certificate to each participant that it determines has successfully completed the course.
- e) BASSET programs shall submit at the time of licensing a listing of all BASSET instructors.

f) Within ten days after the completion of an approved training course, the BASSET licensee shall submit to the Commission a roster. The roster shall include: the name, address, telephone number and date of birth of each student that successfully completed the training course and passed the required examination; the name and company of the BASSET trainer that conducted the course; the date each participant successfully completed the course; and whether the course was off-premises instruction only. The Commission will then issue BASSET cards to those participants who successfully complete the course. Replacement cards will cost \$15. These cards must be carried by the person whose name appears on the card if involved in the selling and/or serving of alcoholic liquor and local ordinance mandates BASSET training.

g) Within 30 days after notification by the Commission, BASSET programs shall compile and submit, on a format designed by the Commission, a semi-annual report containing the following information:

- 1) The number of participants trained during the reporting period.
  - 2) The number of BASSET courses scheduled and completed during the reporting period and the location of each course.
  - 3) The total fees charged for BASSET training per course during the reporting period.
  - 4) The number of businesses represented by participants completing BASSET programs and the respective counties of those businesses.
- h) BASSET programs shall maintain a record of all participants who successfully complete BASSET training for a minimum of one year.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 3500.170 Sanctions

- a) The Commission shall have the right to proceed by citation and notice of hearing to require any licensee to appear before the Commission at a time and place specified in the notice to show cause why its State BASSET license should not be suspended or revoked, or a fine imposed, for violations of this Part. The parties may also agree to settle matters without an appearance before the Commission.
- b) Upon receipt of a complaint or upon having knowledge that a person is engaged as a seller/server trainer without a State BASSET license, the



## LIQUOR CONTROL COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

Commission may notify the local liquor authority, file a complaint with the State's Attorney's Office in the county where the incident occurred or where the main business office is located, or initiate an investigation with the appropriate law enforcement officials. The Commission may also use this information to deny an applicant a BASSET license. ~~The Commission shall issue written notice to any program that it determines to be in non-compliance with any provision specified in this Part.~~

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 3500.175 Eligibility Requirements

No license shall be issued under this Part to any person found to be ineligible under Section 6-2 of the Liquor Control Act of 1934 [235 ILCS 5/6-2].

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Numbers: 148.285  
Proposed Action: Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and House Bill 3491
- 5) Complete Description of the Subjects and Issues Involved: These proposed amendments to the Department's rules concerning hospital services pertain to the Excellence in Academic Medicine Payment Program. The proposed changes add payment provisions for the Independent Academic Medical Center Hospital which provides graduate medical education for inpatient admissions. The proposed rulemaking defines "Independent Academic Medical Center Hospital" as, specifically, the primary teaching hospital for the University of Illinois College of Medicine, located in Urbana, Illinois. This facility category is included with hospitals eligible for payments under the Excellence in Academic Medicine Act [30 ILCS 775]. These changes comply with House Bill 3491 and the intent of the 92nd General Assembly.

Payments for excellence in academic medicine are made to certain hospitals that provide innovative medical research, technology and programmatic development standards. A wide range of areas of medical specialization applicable to such innovative work is identified in Section 148.285(1)(9). The purpose of this funding is to provide support for continuing efforts to enhance access to medical services at high quality medical centers for Medicaid eligible individuals.

The proposed changes also add payment limitations as described in statute, at new subsection (k), as well as several clarifications on payment rate periods, eligible hospitals and qualified program categories.

This proposed rulemaking is expected to result in an expenditure increase of approximately \$2 million during fiscal year 2002.

- 6) Will this proposed amendment replace an emergency amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections Proposed Action Illinois Register Citation



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 148.82 Amendment March 23, 2001 (25 Ill. Reg. 4124)  
148.310 Amendment April 13, 2001 (25 Ill. Reg. 5254)
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, Place, and Manner in Which Interested Persons May Comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones  
Office of the General Counsel, Rules Section  
Illinois Department of Public Aid  
201 South Grand Avenue East, Third Floor  
Springfield, Illinois 62763-0002  
(217)524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

Any interested persons may review these proposed amendments at the Illinois Department of Human Services' local offices located in each county (except Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, 100 West Randolph, Tenth Floor, Chicago, Illinois. The amendments may be reviewed at all offices Monday through Friday from 8:30 a.m. until 5:00 p.m. These copies of the amendments are being made available for review in accordance with federal requirements at 42 CFR 447.205.

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: Hospitals are affected by this rulemaking.

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The Department does not believe that any of the affected entities qualify as small businesses.

- B) Reporting, bookkeeping or other procedures required for compliance:  
None

- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on Which this Rulemaking Was Summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: This rulemaking was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendments begins on the next page:



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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148  
HOSPITAL SERVICES

Section  
148.10 Hospital Services  
148.20 Participation  
148.25 Definitions and Applicability  
148.30 General Requirements  
148.40 Special Requirements  
148.50 Covered Hospital Services  
148.60 Services Not Covered as Hospital Services  
148.70 Limitation On Hospital Services  
148.80 Organ Transplants Services Covered Under Medicaid (Repealed)  
148.82 Organ Transplant Services  
148.90 Heart Transplants (Repealed)  
148.100 Liver Transplants (Repealed)  
148.110 Bone Marrow Transplants (Repealed)  
148.120 Disproportionate Share Hospital (DSH) Adjustments  
148.130 Outlier Adjustments for Exceptionally Costly Stays  
148.140 Hospital Outpatient and Clinic Services  
148.150 Public Law 103-66 Requirements  
148.160 Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million  
148.170 Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act  
148.175 Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act  
148.180 Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting  
148.190 Copayments  
148.200 Alternate Reimbursement Systems  
148.210 Filing Cost Reports  
148.220 Pre September 1, 1991 Admissions  
148.230 Admissions Occurring on or after September 1, 1991  
148.240 Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements  
148.250 Determination of Alternate Payment Rates to Certain Exempt Hospitals  
148.260 Calculation and Definitions of Inpatient Per Diem Rates  
148.270 Determination of Alternate Cost Per Diem Rates for All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals  
148.280 Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements  
148.285 Excellence in Academic Medicine Payments

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148.290 Adjustments and Reductions to Total Payments  
148.295 Critical Hospital Adjustment Payments (CHAP)  
148.296 Tertiary Care Adjustment Payments  
148.297 Pediatric Outpatient Adjustment Payments  
148.298 Pediatric Inpatient Adjustment Payments  
148.300 Payment  
148.310 Review Procedure  
148.320 Alternatives  
148.330 Exemptions  
148.340 Subacute Alcoholism and Substance Abuse Treatment Services  
148.350 Definitions (Repealed)  
148.360 Types of Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)  
148.368 Volume Adjustment (Repealed)  
148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services  
148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services (Repealed)  
148.390 Hearings  
148.400 Special Hospital Reporting Requirements

AUTHORITY: Implementing and authorized by Articles III, IV, V, VI, and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended



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at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9552, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amendment at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13621, effective November 1, 1999; amended at 24 Ill. Reg. 2400, effective February 1, 2000; amended at 24 Ill. Reg. 3845, effective February 25, 2000; emergency amendment at 24 Ill. Reg. 10386, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 11846, effective August 1, 2000; amended at 24 Ill. Reg. 16067, effective October 16, 2000; amended at 24 Ill. Reg. 17146, effective November 1, 2000; amended at 24 Ill. Reg. 18293, effective December 1, 2000; amended at 24 Ill. Reg. 18320, effective December 1, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 5359, effective April 1, 2001; emergency amendment at 25 Ill. Reg. 5432, effective April 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 6959, effective June 1, 2001; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

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## Section 148.285 Excellence in Academic Medicine Payments

Payments in accordance with Public Act 89-506, payments for Qualified Academic Medical Center Hospitals certain hospitals providing graduate medical education shall be made for inpatient admissions occurring on or after July 1, 1996, and for Independent Academic Medical Center Hospitals providing graduate medical education shall be made for inpatient admissions occurring on or after July 1, 2001, as follows:

a) Subject to the availability of funds from the accounts within the Medical Research and Development Fund as defined in Public Act 89-506, including any federal financial participation reimbursed for payments under this subsection (a), payments shall be made to hospitals under the following criteria:

1) Each Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital shall receive a percentage of the amount available from the National Institutes of Health Account, equal to that hospital's percentage of the total contracts and grants from the National Institutes of Health awarded to Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospitals and their affiliated medical schools during the preceding calendar year as reported to the Department.

2) Each Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital shall receive payment from the Philanthropic Medical Research Account equal to 25 percent of all funded grants (other than grants funded by the State of Illinois or the National Institutes of Health) for biomedical research, technology, or programmatic development received by the Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital during the preceding calendar year as reported to the Department.

3) Each Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital shall receive payment from the Market Medical Research Account equal to 20 percent of the funding for the project, if, based upon submission of information to the Department, the hospital:

A) contributes 40 percent of the funding, that is at least \$100,000, for a biomedical research or technology project or a programmatic development project, and

B) obtains contributions from the private sector equal to 40 percent of the funding for the project.

b) No hospital receiving payments from the Medical Research and Development Fund shall receive more than 20 percent of the total amount appropriated to the Fund, except that total payments from the Fund to the primary teaching hospitals affiliated with the Southern Illinois University School of Medicine in Springfield, considered as a single entity, may not exceed the product of:

1) One-sixth of the total amount available for distribution from the Medical Research and Development Fund, and



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- 2) The quotient of the National Institutes of Health grants or contracts awarded to the Southern Illinois University School of Medicine in Springfield and its affiliated primary teaching hospitals in the previous calendar year divided by \$8,000,000.
- c) The Southern Illinois University School of Medicine in Springfield and its affiliated primary teaching hospitals located in Springfield, considered as a single entity, shall be deemed to be a Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital for the purposes of calculating subsections (a) and (b) of this Section. Payments under subsections (a) and (b) of this Section made to the Southern Illinois University School of Medicine in Springfield and its affiliated primary teaching hospitals located in Springfield shall be made to, and divided equally between, the primary teaching hospitals in Springfield.
- d) Subject to the availability of funds from the Post-Tertiary Clinical Services Fund, including any federal financial participation reimbursed for payments under this subsection (d), payments shall be made to Qualified Academic Medical Center Hospitals for up to three Qualified Programs in any given year as reported to the Department. Qualified Academic Medical Center Hospitals may receive continued funding for previously funded Qualified Programs rather than receive funding for a new program so long as the number of Qualified Programs receiving funding does not exceed three. Each hospital receiving payments under this subsection (d) shall receive an equal percentage of the Post-Tertiary Clinical Services Fund to be used in the funding of Qualified Programs.
- e) Subject to the availability of funds from the Independent Academic Medical Center Fund, including any federal financial participation reimbursed for payments under this subsection (e), payments shall be made to Independent Academic Medical Center Hospitals.
- fe) Payments from both funds under this Section are made to cover the direct costs associated with providing Medicaid services and shall be made directly to the Qualified Academic Medical Center Hospitals or Independent Academic Medical Center Hospitals due the funds, except any funds due to any primary teaching hospital for the University of Illinois School of Medicine at Rockford and the University of Illinois School of Medicine at Peoria shall be paid to the University of Illinois at Chicago Medical Center Hospital, which shall be bound to expend the funds on its affiliated hospitals due the funds.
- gf) No Academic Medical Center Hospital shall be eligible for payments from the Medical Research and Development Fund unless the Academic Medical Center Hospital, in connection with its affiliated medical school, received at least \$8,000,000 in the preceding calendar year in grants or contracts from the National Institutes of Health, except that this restriction does not apply to the entity specified in subsection (c) of this Section above.
- hg) The rate period for payments made under this Section shall be the 12 month period beginning July 1, 1996, for Qualified Academic Medical

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- Center Hospitals, and July 1, 2001, for Independent Academic Medical Hospitals. A qualifying hospital's total annual payments from each fund and account described in this Section shall be divided into four equal payments and be made by the later of:
- 1) the fifteenth working day after July 1, October 1, January 1, and March April 1, or
  - 2) the fifteenth working day after the Department's receipt of reporting information required under subsection (j) of this Section (i)-below.
- ih) Payments made under this Section are for inpatient Medicaid services provided in the 12 month period preceding the rate period.
- ji) Qualified Academic Medical Center Hospitals initially identified by the Department as qualifying under any payment criteria of this Section must complete and return a survey, developed by the Department, attesting to information required to calculate payments under this Section. The Department will mail the survey at least 21 days prior to its due date. Failure to complete and submit required information by the due dates established by the Department will result in forfeiture of payments under this Section.
- k) If a hospital is eligible for funds from the Independent Academic Medical Center Fund, that hospital shall not receive funds from the Medical Research and Development Fund or the Post-Tertiary Clinical Services Fund. If a hospital receives funds from the Medical Research and Development Fund or the Post-Tertiary Clinical Services Fund, that hospital is ineligible to receive funds from the Independent Academic Medical Center Fund.
- lj) Definitions
- As used in this Section, unless the context requires otherwise:
- 1) "Academic Medical Center Hospital" means a hospital located in Illinois which is either under common ownership with the college of medicine of a college or university, or a free-standing hospital in which the majority of the clinical chiefs of service are department chairmen in an affiliated medical school.
  - 2) "Academic Medical Center Children's Hospital" means a children's hospital which is separately incorporated and non-integrated into the Academic Medical Center Hospital, but which is the pediatric partner for an Academic Medical Center Hospital and serves as the primary teaching hospital for pediatrics for its affiliated medical school. Children's hospitals which are separately incorporated, but integrated into the Academic Medical Center Hospital, are considered part of the Academic Medical Center Hospital.
  - 3) "Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means an Academic Medical Center Hospital located in the Chicago Metropolitan Statistical Area.
  - 4) "Non-Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means an Academic Medical Center Hospital located outside the Chicago Metropolitan Statistical Area.



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- 5) "Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means any Chicago Metropolitan Statistical Area Academic Medical Center Hospital that either directly or in connection with its affiliated medical school receives in excess of \$8,000,000 in grants or contracts from the National Institutes of Health during the calendar year preceding the beginning of the State fiscal year, except for the purposes of subsection (c) of this Section.
- 6) "Qualified Non-Chicago Metropolitan Statistical Area Academic Medical Center Hospital" means the primary teaching hospital of the University of Illinois School of Medicine at Peoria, the primary teaching hospital for the University of Illinois School of Medicine at Rockford and the primary teaching hospitals for Southern Illinois University School of Medicine in Springfield.
- 7) "Qualified Academic Medical Center Hospital" means a Qualified Chicago Metropolitan Statistical Area Academic Medical Center Hospital, a Qualified Non-Chicago Metropolitan Statistical Area Academic Medical Center Hospital or an Academic Medical Center Children's Hospital.
- 8) "Independent Academic Medical Center Hospital" means the primary teaching hospital for the University of Illinois College of Medicine that is located in Urbana.
- 9) "Qualified Program" includes:
- A) Thoracic transplantation: heart and lung, in particular,
  - B) Cancer: particularly biologic modifiers of tumor response, and mechanisms of drug resistance in cancer therapy,
  - C) Shock/Burn: development of biological alternatives to skin for grafting in burn injury, and research in mechanisms of shock and tissue injury in severe injury,
  - D) Abdominal transplantation: kidney, liver, pancreas, and development of islet cell and small bowel transplantation technologies,
  - E) Minimally invasive surgery: particularly laparoscopic surgery,
  - F) High performance medical computing: telemedicine and teleradiology,
  - G) Transmyocardial laser revascularization: a laser creates holes in heart muscles to allow new blood flow,
  - H) PET scanning: viewing how organs function (CT and MRI only allow viewing of the structure of an organ),
  - I) Strokes in the African-American community: particularly risk factors for cerebral vascular accident (strokes) in the African-American community at much higher risk than the general population,
  - J) Neurosurgery: particularly focusing on interventional neuroradiology,
  - K) Comprehensive eye center: including further development in pediatric eye trauma,

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- L) Cancers: particularly melanoma, head and neck,
- M) Pediatric cancer,
- N) Invasive pediatric cardiology, and
- O) Pediatric organ transplantation: transplantation of solid organs and marrow and other stem cells, and-
- P) Such other programs as may be identified by the Department and the Qualified Academic Medical Center Hospital, and approved by the Department, for those programs that meet appropriate biomedical research, technology, or programmatic development standards.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Numbers: Proposed Action:  
APPENDIX A Amendment  
APPENDIX B Amendment
- 4) Statutory Authority: Sections 2-104(b) and 6-521(a) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b) and 6-521(a)] and Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art.I].

5) A Complete Description of the Subjects and Issues Involved: These rules are being proposed to outline the Secretary of State's new policies regarding questions that shall appear on an application for a driver's license, as well as the acceptable identification documents required to obtain a driver's license.

6) Will this proposed rulemaking replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other amendments pending on this Part? Yes

Section Number Proposed Action Ill. Reg. Citation  
1030.60 Amendment 25 Ill. Reg. 2687 (February 16, 2001)

10) Statement of Statewide Policy Objectives: This rulemaking will neither create nor expand a State mandate.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

Robert W. Mueller  
Assistant General Counsel  
Department of Driver Services  
2701 South Dirksen Parkway  
Springfield IL 62723  
217-782-5356

12) Initial Regulatory Flexibility Analysis:

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- A) Types of small business, small municipalities and not for profit corporations affected: This rulemaking will not have an effect on small business.
- B) Reporting, bookkeeping, other procedures required for compliance:  
None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: these rules specify new policy of the Secretary of State.

The full text of the Proposed Amendment begins on the next page:







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effective July 29, 1997; amended at 22 Ill. Reg. 1466, effective January 1, 1998; emergency amendment at 23 Ill. Reg. 9552, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13947, effective November 8, 1999; amended at 24 Ill. Reg. 1259, effective January 7, 2000; emergency amendment at 24 Ill. Reg. 1686, effective January 13, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6955, effective April 24, 2000; emergency amendment at 24 Ill. Reg. 13044, effective August 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18400, effective December 4, 2000; amended at 25 Ill. Reg. 959, effective January 5, 2001; amended at 25 Ill. Reg. \_\_\_\_\_, effective June 5, 2001; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

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## Section 1030.APPENDIX A Questions Asked of a Driver's License Applicant

The following questions shall appear on an application for a driver's license: If you are applying for an Identification Card, review questions 1 and 2; for a Driver's License, review questions 1 through 7; for a Commercial Driver's License, review questions 1 through 10.

- 1) Is your driver's license or identification card or privilege to obtain a license or ID card suspended, revoked, canceled or refused in any State under this or any other name? (If yes, a Letter of Clearance is required.)
  - 2) Do you presently hold a valid driver's license or identification card in this or any other state?
  - 3) Is your driver's license being held by a court in lieu of bail?
  - 4) Has a court found you to have a mental disability or disease or has a court committed you to a mental health facility? (If yes, copies of related court order and/or physician's statement will be required.)
  - 5) Do you have any condition that which might cause a temporary loss of consciousness? (If yes, a physician's statement and medical agreement are required.)
  - 6) Do you have any mental or physical condition that which might interfere with safe driving? (If yes, a physician's statement is required and a medical agreement may be required.)
  - 7) Do you use any drugs, including prescription medication, or alcohol to an extent that they impair your driving ability? (If yes, a physician's statement is required and a medical agreement may be required.)
  - 8) Are your Commercial Driver's License privileges currently disqualified?
  - 9) Do you certify that you meet the "Qualifications of Driver's" portion of Part 391 of the Federal Motor Carrier Safety Regulations? If no, indicate why you are not subject to these qualifications.
- 
- 9) During the two-year period prior to this date have you:
    - a) had in your possession more than one driver's license?
    - b) had a license which has been suspended, revoked, or cancelled?
    - c) been convicted of an offense which shall disqualify you from obtaining a Commercial Driver's License?
    - d) had a traffic violation arising in connection with an accident or had an accident which was your fault?
  - 10) Do you certify that you meet the hearing requirements outlined in 49 CFR 391.41(b)(11)?
  - 10) Do you certify:
    - a) you are regularly employed in a job requiring operation of a Commercial Motor Vehicle?



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b) you have previously taken and passed a skills test in a properly classified vehicle, given by a State with a classified licensing and testing system or for at least the past two years have you operated a vehicle representative of the class vehicle for which you are applying for a license?

1) Be you certify:

a) you meet the "Qualifications of Drivers" portion of Part 391 of the Federal Motor Carrier Safety Regulations as prescribed in Section 10b-100 of the Motor Carrier Safety Regulations of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95-1/2, par. 10b-100) or;

b) you are not subject to these qualifications because:

I understand that my social security number will be disclosed to other States pursuant to the Commercial Motor Vehicle Safety Act of 1986 (49 USC 5-5-e 2706-).

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 1030. APPENDIX B Acceptable Identification Documents

- a) An applicant applying for a driver's license or identification card for the first time in the State of Illinois must present one document from each of Group A, B, C, and D as outlined in subsection (d) of this Section.
- b) An applicant applying for either a duplicate or corrected driver's license or identification card must present one form of identification from Group A, and at least one form from either Group B, C, or D as outlined in subsection (d) of this Section. An applicant who requests a change in name, date of birth, social security number or gender must provide acceptable identification to create a link pertaining to the change between the previous information and the new information.
- c) Applicants renewing their current Illinois driver's license or identification card need only present their current valid license or ID card. If they do not have their current driver's license or ID card, they must present one form of identification from Group A and at least one form from one of Group B, C, or D as outlined in subsection (d) of this Section.
- d) Documents of identification that are acceptable for the purpose of obtaining a driver's license, permit and/or identification card are listed below by group. Photocopies will not be accepted.

## 1) GROUP A (Written Signature)

Canceled Check (w/in 90 days)

CDTP Certification Form

Court Order

Credit Card - Major Brand

Driver Education Certificate (Blue Slip)

Government Driver's License

Government Identification Card

Illinois Driver's License - "current"

Illinois Identification Card - "current"

Immigration and Naturalization Service (INS) forms:

I-551 (Alien Registration Card)

I-688 (Temporary Resident Card)

I-688A (Employment Authorization Card)

I-688B (Employment Authorization Card)

I-766 (Employment Authorization Card)

I-94 (Arrival/Departure Record) with Valid Passport

Medicare Card - with suffix A, J, H, M, or T

Military Driver's License - US

Military Identification Card - US

Military Service Record - DD214

Mortgage or Installment Loan Documents

Out-of-State Driver's License/ID Card - "current"

Passport - Valid US or Foreign



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Social Security Card2) GROUP B (Proof of Date of Birth)Adoption RecordsBirth CertificateCourt Order - Change of Birth DateOfficial Grade/High School TranscriptIllinois Driver's License - "Current"Illinois Identification Card - "Current"Immigration and Naturalization Service (INS) forms:I-551 (Alien Registration)I-688 (Temporary Resident Card)I-688A (Employment Authorization Card)I-688B (Employment Authorization Card)I-766 (Employment Authorization Card)I-94 (Arrival/Departure Record) with Valid PassportMilitary Driver's License - USMilitary Identification Card - USMilitary Service Record - DD214Naturalization CertificatePassport - Valid with Complete Date of BirthSocial Security Award Letter (Primary Beneficiary Only)3) GROUP C (Social Security Number)Illinois Driver's License RecordIllinois Identification Card RecordMilitary Driver's License - USMilitary Identification Card - USMilitary Service Record - DD214Social Security Award Letter (Primary Beneficiary Only)Social Security Card - issued by SocialSecurity Administration4) GROUP D (Residency/Personal Data)Examples of residency may be, but are not limited to, the following:Utility BillVehicle Registration CardVoter Registration Card

e) Current forms of identification with an Illinois street address that do not appear on the list of unacceptable identification may also be used to verify residency. Any document listed in Group A, B, or C as outlined in subsection (d) of this Section, and other forms of identification not listed as unacceptable may be used to verify

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personal data.

f) For a name change, the identification must be a document that provides a link to the established DL/ID file.

g) Group B documents, as outlined in subsection (d) of this Section, must contain the applicant's full name and date of birth and must be verifiable. To be verifiable, it must be possible to contact the regulatory authority to confirm the authenticity of the document. Birth certificate must be the original or certified by a Board of Health or Bureau of Vital Statistics within the US or by the US State Department, US Territories, or Canada. A certified copy is a document produced by the issuing jurisdiction that has an embossed seal or an original stamped impression. Foreign birth certificates are accepted as "proof" if accompanied with any other item listed in Group B.

h) After review of all identification presented, management has the right to accept or refuse any document.

i) Unacceptable identification documents are:

Bond Receipt or Bond CardBusiness CardsCheck Cashing CardsClub or Fraternal Membership CardsCollege or University Identification CardsCommercially produced (non-State or unofficial) ID cardsFirearms Owner IDFishing LicenseHandwritten ID or Employment CardsHunting LicenseIDPA (Public Aid) CardsInstruction Permit/ReceiptsInsurance and/or Bail Bond CardsLibrary CardTemporary Driver's LicenseTraffic Citation (Arrest Ticket)

Verification by family members other than father, mother or legal guardian

Verification by non-family members other than high school driver

education instructor or Secretary of State personnel

Video Club Membership CardsWallet IDsUnlicensed Financial Institution Loan Papers

Documents of identification which are acceptable for the purpose of obtaining a driver's license, permit and/or identification card may include--but are not limited to--the following:

1) Adoption Records (Official)2) Bank Statement (within 90 days)3) Baptismal Record4) Birth Certificate (Certified Copy)5) Cancelled check (within 90 days)



## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENT

- 6) Cooperative-Driver-Training-Program-(CBTP)-Certification-Form  
7) Checking-account  
8) City-Directory-Verification  
9) Court-Order-for-Name-Change  
10) Court-Order-for-Change-of-Date-of-Birth  
11) Credit-Card-(only-I---must-be-valid-and-signed)  
12) Divorce-Decree  
13) Driver-Education-Certificate-(Blue-Slip)  
14) Employment-I-D-  
15) Government-Driver's-License-(Valid)  
16) Government-Employment-Photo-I-D--(Valid)  
17) Grade-School-Transcript  
18) High-School-Transcript  
19) High-School-Yearbook-(with-photo)  
20) Illinois-Driver's-License-Receipt-(valid-with-signature)  
21) Illinois-Driver's-License/I-D--Renewal-Notice  
22) Illinois-Driver's-License/I-D--with-photo-(expired-less-than-(1)-year)  
23) Illinois-Instruction-Permit-(valid-signature)  
24) Income-Tax-Refund-Check  
25) Immigration-and-Naturalization-Service-(INS)-Forms-I-151,551,568,7-or-688A-(proof-of-date-of-birth-only)  
26) INS-Form-I-94-(proof-of-date-of-birth-only)  
27) Insurance-Policy-(active)  
28) Lease-Agreement-(current)  
29) Marriage-License  
30) Medicare-Cards-(with-A7-J7-HA7-M7-or-W-suffixes-only)  
31) Military-Driver's-License-(US)-(valid---must-be-on-active-duty-or-within-45-days-thereof)  
32) Military-Driver's-License-(US)-(valid---Reserve-or-National-Guard)  
33) Military-I-D-Card-(valid-US)  
34) Military-I-D-Card-(valid---US-Reserve-or-National-Guard)  
35) Military-Service-Record-(US)-(Certified-Copy--or--Original--DD-214--or-Equivalent)  
36) Mortgage-or-Personal-Loan-Documents-(not-application)  
37) Naturalization-Certificate-(official-court-document-or-certificate)  
38) Out-of-State--Driver's--License--or--I-D--(valid-or-less-than-(1)-year-expired)  
39) Passport-(valid-US--or-Foreign)  
40) Payroll-check-stub-(within-30-days)  
41) Personal-Identification  
--- by-parent-or-legal-guardian-(must-provide-acceptable-I-D-)  
--- by-high-school--driver--education--instructor---(must---provide-acceptable-I-D---Illinois-Driver's-License  
--- by--facility--personnel--(employee--signature-entered-in-the-I-D-area)  
42) Police-Report-of-lost-or-stolen-driver's-license-or-I-D-  
43) Vehicle-Registration-(current)  
44) Rent-Receipt-(within-60-days)

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- 45) Savings-Account-Passbook  
46) School-I-D-  
47) Selective-Service-Card  
48) Social-Security-Administration-Award-Better-"Numident"-Printout  
49) Social-Security-Card  
50) Tax-Return-Forms-(with-W-2-Form)  
51) Vehicle-Title  
52) Union-Card-(current)  
53) Utility-Bill-(within-60-days)  
54) Voter's-Certificate-of-Registration-Card

Note--Driver-Services-facility-personnel--will--make--the--final--decision--on-whether--identification--is--acceptable--(i.e.--whether--the--tendered-identification--can-be-read-by-Driver-Services-personnel--evidence--signs--of-alteration--omits--elements--(signature))--Additional--documents--not-listed-here--may-be-acceptable-upon-review-by-facility-personnel--Facility-personnel-also--have-the-right-to-require-additional-proof-of-identity--Applicants-should-be-aware--they--must--have--adequate--identification--to--establish--the-following:--name--date--of-birth--signature-for-comparison--Illinois-residency-and-Social-Security-Number-

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Individual's Right to Access and Review Criminal History Record Information

2) Code Citation: 20 Ill. Adm. Code 1210

3) <u>Section Numbers:</u>	<u>Proposed Action:</u>
1210.10	New Section
1210.20	New Section
1210.30	New Section
1210.40	New Section

- 4) Statutory Authority: Implementing and authorized by Section 7 of the Criminal Identification Act [20 ILCS 2630/7] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking will establish procedures for accessing and reviewing criminal history record information maintained by the Illinois State Police.

- 6) Will these proposed rules replace an emergency rule currently in effect?  
No

- 7) Do these rulemaking contain an automatic repeal date? No

- 8) Do these proposed rules contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: These rules will not require a local government to establish, expand, or modify its activities in such a way as to necessitate additional expenditures from local revenues.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: Within 45 days after the date of publication of this Notice, any interested person may submit comments, data, views, or argument regarding the proposed rules. The submissions must be in writing and directed to:

Mr. James W. Redlich  
Chief Legal Counsel  
Illinois State Police  
124 East Adams Street, Room 102  
Post Office Box 19461  
Springfield Illinois 62794-9461  
(217) 782-7658  
Fax: (217) 524-5743

## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED RULES

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of the Proposed Rules begins on the next page:



DEPARTMENT OF STATE POLICE  
NOTICE OF PROPOSED RULES

information, the Department shall provide the facility with the individual's criminal history transcript or, if no criminal history is found, a written statement so stating.  
e) The facility shall contact the individual and allow the individual to view the criminal history transcript at the facility.

Section 1210.30 Fee

The facility where the request is made may charge a fee of up to the actual cost of processing the request. This fee may be waived.

Section 1210.40 Challenges

- a) An individual who believes his or her criminal history transcript is inaccurate may request a correction by submitting a written explanation to the Department.
- b) In the event the Department's response is not satisfactory to the individual, the individual may further pursue the matter using the general hearing procedures established by the Department (see 20 Ill. Adm. Code 1200).

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TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT  
CHAPTER II: DEPARTMENT OF STATE POLICE

PART 1210  
INDIVIDUAL'S RIGHT TO ACCESS AND REVIEW  
CRIMINAL HISTORY RECORD INFORMATION

Section	Definitions
1210.10	Procedures
1210.20	Fee
1210.30	Challenges

AUTHORITY: Implementing and authorized by Section 7 of the Criminal Identification Act [20 ILCS 2630/7] and authorized by Section 2605-15 of the Civil Administrative Code of Illinois [20 ILCS 2605/2605-15].

SOURCE: Adopted at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 1210.10 Definitions

"Criminal History Record Information" means data identifiable to an individual and consisting of descriptions or notations of arrests, detentions, indictments, information, pretrial proceedings, trials, or other formal events in the criminal justice system or descriptions or notations of criminal charges (including criminal violations of local municipal ordinances) and the nature of any disposition arising therefrom, including sentencing, court of correctional supervision, rehabilitation and release.

"Criminal History Transcript" means a printed record of criminal history record information maintained by the Department with respect to a particular individual.

"Department" means the Illinois Department of State Police.

Section 1210.20 Procedures

- a) Any individual may approach any Illinois law enforcement or correctional facility during regular business hours for the purpose of obtaining the individual's criminal history transcript.
- b) In response to a request for a criminal history transcript, the facility shall obtain fingerprints from the individual and other identification information.
- c) Within 30 days after the request, the facility shall forward to the Department the fingerprints and identifying information.
- d) Within 60 days after receiving the fingerprints and identifying



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Minimum Safety Standards for Construction of Type I School Buses

- 2) Code Citation: 92 Ill. Adm. Code 440

- 3) Section Numbers: Proposed Action:  
 440.410 Amend  
 440.420 Amend  
 440.510 Amend  
 440.520 Amend  
 ILLUSTRATION C New

- 4) Statutory Authority: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Art. VIII].

- 5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department is updating and amending provisions for consistency with 92 Ill. Adm. Code 442, Minimum Safety Standards for the Construction of Type II School Buses and, in some cases, for consistency with 92 Ill. Adm. Code 441, Inspection Procedures for Type I School Buses. For the most part, the updates do not contain substantive changes to existing standards. The Department is also adding new provisions pursuant to P.A. 91-168, effective January 1, 2000, that required strobe lamps on school buses in Illinois. The following summarizes changes made to each Section.

**Section 440.410 Incorporation by Reference of Federal Motor Vehicle Safety Standards:** Updating the date of incorporation by reference of federal standards to October 1, 2000, the most recent edition of the CFR.

**Section 440.420 State Requirements** (these pertain to the Body):

**Battery (440.420(b))** - Deleting the Agency Note that contains unnecessary language.

**Color and Paint, Exterior (440.420(g))** - Clarifying provisions regarding how far a white rooftop should extend over the sides of a bus. Also clarifying that wheels and rims may be black or gray.

**Crossing Control Arm (440.420(h))** - Removing outdated statutory provisions requiring the crossing control arms on buses manufactured after December 31, 1997. The Public Act is now in effect.

**Emergency Exits (440.420(j))** - Adding a subsection and Agency Note for consistency with 92 Ill. Adm. Code 441, Inspection Procedures for Type I School Buses. The new provisions detail the interior opening device.

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

**Glazing Materials (440.420(o)(3))** - Adding a requirement that all glazing in the rear of the bus, except a rear emergency exit window, shall be fixed-type glazing.

**Lamps and Signals (440.420(s))** - Moving and renumbering requirements for interior lighting and side turn signals. Adding requirements for strobe lights as required by P.A. 91-168, effective January 1, 2000.

**Lettering (440.420(t))** - Clarifying provisions regarding vehicle length requirements.

**Mirrors (440.420(w))** - Adding requirements for an interior mirror for consistency with 92 Ill. Adm. Code 441. Clarifying that federal mirror requirements apply to exterior mirrors.

**Radio Noise (440.420(y))** - Deleting an outdated requirement regarding a standard's implementation date. The standard is now in effect.

**Reflectors (440.420(aa))** - Correcting and clarifying statutory language.

**Seats, Students' (440.420(cc)(2))** - Deleting outdated requirements regarding a particular standard's implementation date. That standard is now in effect.

**Seat Belt, Driver's (440.420(dd))** - Clarifying requirements regarding retractors and deleting outdated statutory language.

**Stop Signal Arm Panel (440.420(hh))** - Deleting outdated requirements.

**Sun Visor (440.420(jj))** - Replacing the word "standards" with "specifications".

**Warning Devices (440.420(nn))** - Removing a provision and replacing it with statutory language that clarifies the requirements.

**Window Openings, Side (440.420(rr))** - Updating requirements for consistency with 92 Ill. Adm. Code 441.

**Windshield (440.420(ss))** - Updating the edition date of an SAE standard.

**Windshield Wipers (440.420(tt))** - Adding new requirements for consistency with 92 Ill. Adm. Code 442.

**Windshield Washer (440.420(uu))** - Adding requirements for consistency with 92 Ill. Adm. Code 442.



DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? Yes
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking affects units of local government that own or operate school buses.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rulemaking. Written submissions shall be filed with:

By U.S. Mail:

Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212  
(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety; 3rd Floor  
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Ms. Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 311  
Springfield, Illinois 62764  
(217) 782-3215

Comments received within 45 days after the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: This rulemaking will affect small businesses that own or operate school buses.

DEPARTMENT OF TRANSPORTATION  
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**Wiring (440.420(vv))** - Updating the edition date of an SAE standard and correcting a citation reference to this subsection.

**Section 440.510 Incorporation by Reference of Federal Motor Vehicle Safety Standards** - Updating the incorporation by reference date of the federal standards to October 1, 2000, the most recent edition date.

**Section 440.520 State Requirements** (these pertain to the Chassis) - Updating the statutory citation in the introductory paragraph and amending the following subsections:

**Air Cleaner (440.520(a))** - Updating provisions for consistency with 92 Ill. Adm. Code 442.

**Axles (440.520(b))** - Adding a new subsection for consistency with 92 Ill. Adm. Code 442.

**Brakes (440.520(d))** - Adding a new subsection for consistency with 92 Ill. Adm. Code 442.

**Engine (440.520(i))** - Adding a new subsection for consistency with 92 Ill. Adm. Code 442.

**Exhaust System (440.520(j))** - Deleting old provisions and inserting a new provision for consistency with 92 Ill. Adm. Code 442 and 441.

**Frame (440.520(k))** - Updating a cross reference to a subsection in this Part.

**Horn(s) (440.520(m))** - Deleting and amending provisions for consistency with 92 Ill. Adm. Code 442.

**Lamps and Signals (440.520(o))** - Updating a cross reference to a subsection in this Part.

**Weight/Power Limitation (440.520(u))** - Deleting the entire subsection. The Weight/Power Limitation is the purchaser's option and should not be regulated by the Department.

**Wiring (440.520(x))** - Updating a cross reference to a subsection in this Part.

**Section 440. Illustration C** - Adding an illustration for consistency with 92 Ill. Adm. Code 442 and 441.

- 6) Will this proposed rulemaking replace an emergency rulemaking currently in effect? No.



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

- B) Reporting, bookkeeping or other procedures required for compliance:  
No additional procedures are required for compliance with this rulemaking.
- C) Types of professional skills necessary for compliance: No additional skills are required for compliance with this rulemaking.
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: The need for rulemaking was unknown at the time the two most recent regulatory agendas were published.

The full text of these Proposed Amendments begins on the next page:

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER I: DEPARTMENT OF TRANSPORTATION  
SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 440  
MINIMUM SAFETY STANDARDS FOR CONSTRUCTION  
OF TYPE I SCHOOL BUSES

## SUBPART A: INTRODUCTION

Section	
440.10	Order
440.20	Guidelines
440.30	Responsibilities

## SUBPART B: GENERAL

Section	
440.110	Purpose
440.120	Scope
440.130	Applicability
440.140	Effective Date
440.150	Quantified Requirements

## SUBPART C: DEFINITIONS

Section	
440.205	Dictionary Used
440.210	Federal Definitions
440.220	State Definitions

## SUBPART D: CERTIFICATION

Section	
440.305	Certification by Manufacturer
440.310	Federal Standards
440.320	State Standards

## SUBPART E: BODY REQUIREMENTS

Section	
440.405	Conformance to the Requirements
440.410	Incorporation by Reference of Federal Motor Vehicle Safety Standards
440.420	State Requirements

## SUBPART F: CHASSIS REQUIREMENTS

Section	
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## DEPARTMENT OF TRANSPORTATION

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440.505 Conformance to the Requirements  
 440.510 Incorporation by Reference of Federal Motor Vehicle Safety Standards  
 440.520 State Requirements

ILLUSTRATION A Hexagon Shaped Stop Signal Arm (Repealed)  
 ILLUSTRATION B Octagon Shaped Stop Signal Arm Panel  
 ILLUSTRATION C Exhaust Discharge Prohibited Zones

APPENDIX A Federal Motor Vehicle Safety Standards (FMVSS) and Related Regulations (Repealed)

APPENDIX B First Aid Kit Requirements (Referred to in Section 440.420(k)) (Repealed)

APPENDIX C Specification Sheet Reflective Material -- Encapsulated Lens (Based on FHWA Notice N 5040.17, June 15, 1976) (Repealed)

AUTHORITY: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Art. VIII].

SOURCE: Filed June 20, 1977; amended at 6 Ill. Reg. 7147, effective June 2, 1982; codified at 8 Ill. Reg. 15502; amended at 11 Ill. Reg. 15947, effective September 21, 1987; amended at 12 Ill. Reg. 8463, effective May 3, 1988; amended at 16 Ill. Reg. 1655, effective January 14, 1992; amended at 17 Ill. Reg. 3530, effective March 2, 1993; amended at 18 Ill. Reg. 14764, effective September 20, 1994; amended at 22 Ill. Reg. 19354, effective October 15, 1998; expedited correction at 23 Ill. Reg. 5918, effective October 15, 1998; emergency amendment at 24 Ill. Reg. 4993, effective March 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 12111, effective July 31, 2000; emergency amendment at 24 Ill. Reg. 16391, effective October 20, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 3307, effective February 20, 2001; amended at 25 Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_.

NOTE: In this Part, unless the context clearly indicates otherwise, superscript numbers or letters are denoted by parentheses.

## SUBPART E: BODY REQUIREMENTS

## Section 440.410 Incorporation by Reference of Federal Motor Vehicle Safety Standards

Each bus body must conform to the applicable provisions of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.101 through 571.304). Those applicable provisions of the FMVSS are incorporated by reference as that Subpart of the FMVSS was in effect on October 1, 2000 1997. No later amendments to or editions of 49 CFR 571.101 through 571.304 are incorporated.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 440.420 State Requirements

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Except for mirrors, which may project 153 mm (6") beyond each side of the bus, a school bus shall not exceed 2.44 m (8 feet) in width, 4.12 m (13 feet 6 inches) in height, nor 12.81 m (42 feet) in length. [625 ILCS 5/15-102, 15-103 and 15-107] Each bus body shall be constructed so as to preclude road splash, road dust, or the bus engine's fumes or gas entering either the driver, passenger, or service entrance space through any joint, crack, hole, or opening other than an opened door or window. In addition, various portions of the bus body shall conform to the requirements set forth under the following subsections.

a) Aisle. An aisle, easily negotiated ("easily negotiated" means that an aisle meets the dimension requirements set forth in this subsection from front of bus to back of bus) and free of tripping hazards ("tripping hazards" are tears, wrinkles and other imperfections in the floor covering material, or the floor itself causing the walking surface to be uneven), shall extend from the forward edge of the service entrance stairway to the emergency door in the rear of the bus or, when such door is absent, to the forward edge of the rearmost seat. This aisle shall be no less than 305 mm (12") wide at every location between floor covering and the top of each seat cushion and, in a bus manufactured in July 1987 or later, shall be no less than 380 mm (15") wide at and above a level 50 mm (2") below the top of any seat back. At least 1.75m (68.9") floor-to-ceiling height shall be provided above the entire required width of this aisle between the forward edge of the rearmost seat and the forward edge of the service entrance stairway. A dedicated aisle that conforms to 49 CFR 571.217 may be adjacent to any side emergency door.

b) Battery. Either one battery or two or more suitably connected batteries may be installed.

1) When rated in conformance with SAE Standard J537h the battery(s) shall provide a current flow for engine cranking no less than the engine manufacturer's recommended Cold Cranking Current (amperes for 30 seconds) at -18° C (0° F) or, at the purchaser's option, at -29° C (-20° F).

2) When rated in conformance with SAE Standard J537h the battery(s) shall provide a Reserve Capacity (duration of 25 ampere current flow) at 27° C (80° F) no less than 135 minutes.

AGENCY NOTE:--if the purchaser needs to provide for extended-cold weather bus operation immediately after malfunction or failure of the battery-charging equipment he should specify battery reserve capacity and temperature commensurate with the temperature and duration of extended operation needed.

c) Battery Carrier. When the battery is mounted outside the engine compartment it shall be attached securely in a closed, weather-tight, and vented compartment that is located and arranged so as to provide for convenient routine servicing. The battery compartment door, or cover, shall be secured by an adequate manually operated latch(es) or other fastener(s). Each electrical cable connecting the battery(s) in this carrier to the body or chassis shall be one-piece between the



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- d) battery terminal connector and the first body or chassis terminal connector.
- Bumper, Rear. The rear bumper shall be of channel type cross section with the top edge at least 225 mm (8.9") above the bottom edge, shall be formed from rolled steel at least 4.55 mm (.18") thick, and shall wrap around the rear corners of the body to a point at least 300 mm (11.8") forward of the rearmost point of the body at floor line. The rear bumper shall be attached to the chassis frame with provisions for removal by means of commonly available hand tools and the prevention of hitching-to or riding thereon. The rear bumper shall be of sufficient strength to permit the bus being pushed by another vehicle without permanent distortion.
- e) Capacity, Passenger. *The vehicle maximum passenger capacity recommended by the manufacturer of the bus shall be based upon a provision for 13 inches of seating space for each passenger, exclusive of the driver.* [625 ILCS 5/12-802] Examples: A seat 990 mm (39") in width provides 3 passenger spaces; A seat 985 mm (38.8") in width provides 2 passenger spaces; A device resembling a seat but less than 330 mm (13") in width would not provide a passenger space. Neither a space not conforming to FMVSS 222 nor the driver's space shall be counted as a passenger space. However, any space used for transporting an orthopedically challenged passenger shall be counted as a passenger space when computing passenger capacity to be displayed on the exterior of the bus as required in subsection (t)(7).
- f) Certificate and Registration Card Holder. At least 1 card holder with a transparent face no less than 150 mm by 100 mm (5.9" by 3.9") shall be securely affixed to the interior header panel out of the students' easy reach.
- g) Color and Paint, Exterior. *The exterior of each school bus shall be national school bus glossy yellow except as indicated in subsections (g)(1)-(6):*
- 1) *The rooftop may be white. A white roof may extend only to within six inches above the drip rails on the sides of the body. The front and rear roof caps shall remain national school bus glossy yellow.*
  - 2) *Body trim, rub rails, lettering other than on a stop signal arm and bumpers shall be glossy black (Federal Standard No. 595a, glossy black enamel No. 170381).*
  - 3) *Lettering on a stop signal arm shall be white on a red background.*
  - 4) *The hood and upper cowl may be lusterless black (595a, 37038) or lusterless school bus yellow.*
  - 5) *Grilles on the front, lamp trim and hubcaps may be a bright finish. Wheels and rims may be black or gray.*
  - 6) *The name or emblem of a manufacturer may be colorless or any color.*
  - 7) *The exterior paint of any school bus shall match the central value, hue and chroma set forth in this Part. [625 ILCS 5/12-801]*

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- 8) Yellow retroreflective tape required by 49 CFR 517.217 can be located on the rear bumper provided the space between the top of the bumper and the bottom of the door is not adequate to accommodate the tape.
- AGENCY NOTE: To be certain of glare reduction, a purchaser should specify a lusterless paint.
- h) Crossing Control Arm:
- 1) *Required on school buses manufactured after December 31, 1997.* [625 ILCS 5/12-807.2] (See P.A. 90-1007 effective July 14, 1997.)
  - 1) ~~2~~ Must meet or exceed SAE J1133.
  - 2) ~~3~~ Must be capable of full operation between, and including, the temperatures -40 degrees F and 160 degrees F.
  - 3) ~~4~~ The arm, when activated, must extend a minimum of five feet from the front face of the bumper.
  - 4) ~~5~~ The arm must be mounted on the far right side (entry side) of the front bumper.
  - 5) ~~6~~ Appropriate brackets shall be used to attach the arm to the front bumper for proper operation and storage.
  - 6) ~~7~~ All component parts must meet or exceed any applicable federal motor vehicle safety standards in effect at the time of manufacture.
  - 7) ~~8~~ The arm must extend at the same time the stop arm panel extends. An independent "on/off" switch is prohibited.
  - 8) ~~9~~ If the driver can stop the arm from extending with the use of an optional override switch, the arm sequence must automatically reset once the service door is closed.
  - 9) ~~10~~ Red lights and/or red reflectors are prohibited.
- i) Defrosters. Defrosting equipment shall be installed so as to help keep the window to the left of the driver and the glass in the service door clear of fog or frost. This defrosting equipment shall conform to those FMVSS 103 (49 CFR 571.103) performance requirements that are applicable to school bus windshields.
- j) Emergency Exits. All emergency exits shall conform to the applicable requirements of FMVSS 217 (49 CFR 571.217).
- 1) Each emergency exit shall be equipped with an interior opening device that may be quickly released but that is designed to offer protection against accidental release. Each exterior release handle must be nonhitchable.
- AGENCY NOTE: "Nonhitchable" is defined as the rear of the bus being designed and maintained to prevent or discourage riding or grasping rear of bus so as to "hitch" rides.
- 2) ~~1~~ Each opening for a required emergency exit must be outlined around its exterior perimeter with, at a minimum, 1 inch (2.54 cm) wide yellow retroreflective tape. This yellow retroreflective tape must be on the exterior surface of the bus and conform to all requirements of 49 CFR 571.217.
  - 3) ~~2~~ Both audible and visible alarms shall alert the driver when the engine is running and any emergency exit door either:



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- A) Is not fully latched, or  
 B) Is locked and not readily operated manually.  
 4) An audible alarm shall alert the driver when the engine is running and any emergency exit window either:

- A) Is not fully latched, or  
 B) Is locked and not readily operated manually.  
 5) The engine starting system shall not operate while any emergency exit door or window (optional or required) is locked from either inside or outside the bus. "Locked" means that the release mechanism cannot be activated and the exit cannot be opened by a person at the exit without a special device such as a key or special information such as a combination.

6) An alarm cut-off or "squench" control is prohibited.

7) Exception: No alarm is required for roof hatches.

## k) Fire extinguisher.

AGENCY NOTE: At least one fire extinguisher must be carried in each school bus transporting pupils but the purchaser may elect to install an extinguisher that conforms to the requirements below after the bus is purchased.

The fire extinguisher shall be of the dry chemical type, with pressure gauge, mounted in a quick-release bracket of automotive type located in view of and readily accessible to the driver, except when carried in the locked compartment authorized under subsection (u) below. The fire extinguisher shall be of a type approved by the Underwriters' Laboratories, Inc., with a rating not less than 10-BC. The operating mechanism shall be sealed with a type of seal that will not interfere with the use of the fire extinguisher. Halon fire extinguishers (10-BC) are approved.

## 1) First-Aid Kit.

AGENCY NOTE: A first aid kit must be carried in each school bus transporting pupils but the owner may elect to install a kit that conforms to this subsection after the bus is purchased.

- 1) The first aid kit must be readily identifiable and readily accessible to the driver. The kit must be dust tight and substantially constructed of durable material. If the kit is not carried in the locked compartment as authorized in subsection (u)(2), it must be in view of the driver.

2) The first aid kit must include, but is not limited to, the following:

- A) 4" bandage compress - 2 packages  
 B) 2" bandage compress - 2 packages  
 C) 1" bandage or adhesive compress - 1 package  
 D) 40" triangle bandage with two safety pins - 1  
 E) Splint, wire or wood - 1

3) A tourniquet or any type of ointment, antiseptic or other medicine cannot be included.

## m) Floor Covering.

- 1) All portions of the floor that come in contact with passengers'

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or driver's footwear shall be covered with a waterproof material. This floor covering shall not crack when subjected to sudden temperature change and shall be bonded securely to the floor with a waterproof substance. All seams and openings shall be filled with a waterproof sealer.

- 2) The floor covering in the aisles and entrance area shall be of non-skid, wear-resistance type material commonly used in commercial passenger transportation vehicles.

## n) Fuel System.

The fuel system shall conform to all applicable provisions of FMVSS 301 (49 CFR 301).

## o) Glazing Materials.

- 1) The following applies to glazing on Type I school buses:

A) Laminated safety glass is optional on Type I school buses. All applicable provisions of FMVSS 205 (49 CFR 205) apply to the optional laminated safety glass and also to any plastic material(s) used in multiple-glazed unit, including meeting the pertinent tests indicated below, that are specified in ANSI Standard Z26.1-1996, Z26.1a-1996, and are grouped in Table No. 1 of that Standard. Glazing shall be identified as shown below.

Glazing installed Shall meet tests Shall bear one of the following identification markings:

Windshield Item 1, either laminated glass or multiple glazed unit; AS 1 Glass;

Window or door forward of rear-most location of driver's seat back AS 1 Glass, or AS 2 Glass;

All Other locations AS 1 Glass, or AS 2 Glass, or AS 3 Glass.

B) In addition, any exposed plastic layer of a multiple glazed unit shall be identified in conformance with FMVSS 205 (49 CFR 571.205).

2) All glazing shall be installed so the identification markings are legible.

3) All glazing in the rear of the bus, except a rear emergency exit window, shall be the fixed type.

p) Heaters.



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- 1) An interior temperature of not less than 10 degrees Celsius (50 degrees F) shall be maintained throughout the bus while the bus is moving at 75 kilometers per hour (46.6 miles per hour) in calm air at the average minimum January temperature, as established by the Weather Bureau, U.S. Department of Commerce, for the area in which the bus is to be operated.
- 2) Each heater shall bear a nameplate that shall identify the heater manufacturer and state the heater capacity rating when tested as recommended in SAE Recommended Practice J638, or when tested in accordance with other nationally recognized standard or code. The recommended practice, standard, or code under which the heater is rated shall be identified on the nameplate. Such nameplate shall constitute certification by the heater manufacturer that the heater performance is as shown on the plate.
- 3) Heater hoses shall be supported so as to prevent wear due to vibration. The hoses shall not dangle or rub against the chassis or sharp edges and shall neither interfere with nor restrict the operation of any engine function (such as an emission or ignition control mechanism). Heater hoses shall be protected or baffled between the point at which they enter the passenger compartment and the point of attachment to the heater so that, in the event of hose rupture or disconnection, passengers and/or driver will not be subject to hot water burns.
- q) Heater Hose Connections at Engine. Each heater hose connection to the engine shall include a shutoff valve located as close to the engine as practical. Such connection and valve shall not interfere with any engine function whether closed, partially open, or fully open, with heater hoses installed properly.

## r) Interior.

- 1) Thermal and acoustic material(s) shall be installed in the ceiling and the sides of the body to reduce heat transfer and the interior noise level.
- 2) The passenger compartment of the bus, including the ceiling, shall be free of any visible or concealed projections likely to cause injury. Exposed lapped joints shall be connected and/or treated to reduce likelihood of injury from exposed edges. Materials or components in the passenger compartment located within 59 inches from the floor shall be free of any sharp corner or projections or shall be padded so as to make injury unlikely.

## s) Lamps and Signals.

- 1) Alternately Flashing Signal Lamps. Each bus shall be equipped with an eight lamp alternately flashing signal system that conforms to S45.1.4.(b) of FMVSS 108 (49 CFR 571.108) and 625 ILCS 5/12-805. A separate circuit breaker and a master switch shall be provided for this signal system. When in its "off" position, this master switch shall prevent operation of the eight lamp system; shall prevent operation of any lamps mounted on the

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stop signal arm panel required under subsection (hh); and shall prevent operation of any electrically controlled mechanism that would cause the stop signal arm panel to extend. The controls for the eight lamp flashing signals, the stop signal arm panel, and the service entrance door shall be arranged so as to provide for the following sequence of operations while the engine is running:

- A) Place the alternately flashing signal system master switch in its "off" position. Close and secure the service entrance door. Actuate the alternately flashing signal system hand or foot control. The alternately flashing signal lamps of either yellow (amber) or red color shall not go on.
- B) With the master switch "off" and the hand or foot control actuated, open the service door. The alternately flashing signals of either color shall not go on and the stop signal arm panel shall not extend.
- C) Deactivate the hand or foot control. Place the alternately flashing signal system master switch in its "on" position. Close and secure the service door. Then open the service door. The alternately flashing signal lamps of either color shall not go on and the stop signal arm panel shall not extend.
- D) Close and secure the service door. Actuate the alternately flashing signal system by hand or foot control. A yellow pilot lamp in the view of the driver and the yellow alternately flashing signals shall go on.
- E) Desecure but do not open the service door. The yellow pilot and the yellow alternately flashing signals shall go off. A red pilot lamp in the view of the driver and the red alternately flashing signals shall go on. The stop signal arm panel shall extend.
- F) Fully open the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- G) Close but do not secure the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- H) Open the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- I) Close and secure the service door. The red pilot and red signals shall go off and the stop arm shall retract.
- J) Open the service door. Alternately flashing signals of either color shall not go on and the stop arm shall not extend.

- 2) Interior Lighting. At least the white nosings of the service entrance steps (subsection (ee)(3)), the floor around the stepwell, the entire aisle, and each emergency door and emergency exit shall be illuminated by lamp(s) emitting a white light. At



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least two interior illumination lamps shall be installed in a bus that provides 330 mm (13") of seating width for each of 33 or more passengers. At least the nosings of the service entrance steps and the floor around the stepwell shall be illuminated automatically by opening of the service door. No lamp shall be installed at or near the eye level of a pupil moving through the service entranceway to the aisle unless such lamp does not shine directly into the eye(s) of any such pupil.

3)2) Rear Turn Signals. Yellow turn signal lamps shall be mounted on the rear as far apart as practical and as high as practical but below the rear window. The effective projected illuminated area of these turn signal lamps shall be no less than required for the yellow alternately flashing signal lamps required under subsection (s)(1), above; i.e., .0122 m(2) (19 in(2)).

4) Side Turn Signals. Two yellow side turn signal lamps conforming to SAE Recommended Practice J914a, January 1995, shall be installed on each bus of more than 32 passenger seating capacity. Except as indicated in this subsection (s)(4), this SAE Standard shall be read as setting forth mandatory requirements. The lamps shall be "armored" and mounted on the body between the rub rails required under subsection (bb). The right lamp shall be within 1 m (39.4") of the rear of the service entrance but, on a forward control bus, not forward of the front axle. The left lamp shall be approximately the same distance from the front bumper as the right lamp.

5)3) Stop Signals. Red stop lamps shall be mounted on the rear as far apart as practical but closer to the vertical centerline of the bus than the rear turn signal lamps required under subsection (s)(32), and at the same height as those turn signal lamps. The effective projected illuminated area of these stop lamps shall be no less than required for the red alternately flashing signal lamps required under subsection (s)(1); i.e., .0122 m(2) (19 in(2)).

6) Strobe.

- A) One per bus;
- B) Shall emit white or bluish-white light;
- C) Shall be visible from any direction;
- D) Shall flash 60 to 120 times per minute;
- E) Shall be visible in normal sunlight;
- F) Mounted at or behind center of rooftop and equal distance from each side. Distance from rear will be calculated by measuring height of filament and multiplying same by 30 inches (i.e., filament height x 30 = distance from rear of bus where lamp is to be located). (Section 12-815 of the Code)

G) If a roof exit, air conditioner, or the size of the bus interferes with the placement of a strobe as required by (s)(6)(F), the strobe can be placed to the rear of the roof

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exit or air conditioner as near as practicable above the rear axle, horizontally centered between the rear tires.

4) Side Turn Signals. Two yellow side turn signal lamps conforming to SAE Recommended Practice J914a, August 1973, shall be installed on each bus of more than 32 passenger seating capacity. Except as indicated below, this Recommended Practice shall be read as setting forth mandatory requirements. The lamps shall be "armored" and mounted on the body between the rub rails required under subsection (bb). The right lamp shall be within 1 m (39.4") of the rear of the service entrance but, on a forward control bus, not forward of the front axle. The left lamp shall be approximately the same distance from the front bumper as the right lamp.

5) Interior Lighting. At least the white nosings of the service entrance steps (subsection (ee)(3)), the floor around the stepwell, the entire aisle, and each emergency door and emergency exit shall be illuminated by lamp(s) emitting a white light. At least two interior illumination lamps shall be installed in a bus that provides 330 mm (13") of seating width for each of 33 or more passengers. At least the nosings of the service entrance steps and the floor around the stepwell shall be illuminated automatically by opening of the service door. No lamp shall be installed at or near the eye level of a pupil moving through the service entranceway to the aisle unless such lamp does not shine directly into the eye(s) of any such pupil.

t) Lettering.

1) General. Except where otherwise required or allowed, lettering on the exterior of the body shall be black against a national school bus glossy yellow background. All required letters and numerals shall conform to Series "B", or heavier series, of the Standard Alphabets for Highway Signs issued by the Federal Highway Administration, Washington, D.C. 20591. Decals may be used instead of paint. Signs, numbers, or letterings, other than those either required by statutes or required or permitted by these standards shall not be affixed permanently on either the exterior of the bus or the interior glazing so as to be visible to the outside. Interior lettering shall contrast with its background.

2) The words "SCHOOL BUS" shall be displayed against a national school bus glossy yellow background as high as practical and approximately centered on the front and rear of the bus body, in letters at least 200 mm (8") high. These words may be painted on or applied to the bus body or displayed on a sign firmly attached to or built into the body. The background of an illuminated sign shall approximate the national school bus glossy yellow color as closely as feasible.

3) A school bus identification number, supplied by the purchaser, shall be displayed as high as practical on the front and rear of



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the bus in numerals not less than 100 mm (4") high. Such number may be displayed on the sides of the bus as specified by the purchaser.

- 4) *Either the owner's name or the school district number or both must be displayed on both sides of the bus at least four inches high, approximately centered and as high as practicable below the window line.* (Section 12-802 of the Code) The lettering must be located on one line.

- 5) The body and/or chassis manufacturer's name, emblem, or other identification may be displayed, colorless or in any color, on any unglazed surface of the bus so as not to be mistaken for the name required in subsection (t)(4) above, and so as not to interfere with any required letters or numerals.

- 6) The words "EMPTY WEIGHT", or the abbreviation "EMPTY WT.", or the letters "E.W.", followed by the empty weight of the bus, as defined in Section 440.220, stated in pounds, shall be displayed on the exterior of the body near the rear edge of the service entrance in numerals and letters at least 50 mm (2") high.

Examples: EMPTY WEIGHT      16,800 lb      E.W. 16,800 lb

- 7) The word "CAPACITY", or the abbreviation "CAP.", and the rated passenger capacity (see subsection (e) of this Section above) followed by the word "PASSENGERS", or the abbreviation "PASS.", shall be displayed on the exterior of the body near the rear edge of the service entranceway, and on the interior above the right portion of the windshield, in numerals and letters at least 50 mm (2") high.

- 8) The words "NO STANDEES" shall be displayed only on the interior above the windshield, approximately opposite the aisle but to the right of the mirror and sun visor, in letters at least 50 mm (2") high.

- 9) The words "EMERGENCY DOOR" or "EMERGENCY EXIT" in letters at least 5 cm high must be displayed on the interior and exterior of the bus. "EMERGENCY DOOR" must be displayed at the top of, or directly above, any emergency exit door. "EMERGENCY EXIT" must be displayed at the top of, or directly above, or at the bottom of, any emergency exit window. They may be displayed on a separate colorless background (such as white, aluminum, or silver) that extends no more than 15 mm (.6") above or below the words and no more than 25 mm (1") to the right or left of the words.

- 10) A black arrow, curved or straight, at least 150 mm (5.9") in length and 15 mm (.6") in width, showing the direction each exterior emergency exit release mechanism is to be moved to open the emergency exit, shall be painted or permanently affixed on the exterior yellow portion of the bus within 150 mm (5.9") of

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each release mechanism.

- 11) An arrow showing the direction each interior emergency exit release mechanism is to be moved to open the emergency exit shall be painted or permanently affixed on the interior of the bus within 150 mm (5.9") of each emergency exit release mechanism. Each interior arrow shall contrast with its background and, where suitable space is limited, may be smaller than the exterior arrow(s) but must be conspicuous.

## 12) Alternate Fuel

- A) If the bus uses alternate fuel (e.g., propane, CNG), the vehicle must be marked with an identifying decal. Such decal shall be diamond shaped with white or silver scotchlite letters one inch in height and a stroke of the brush at least 1/4 inch wide on a black background with a white or silver scotchlite border bearing either the words or letters:

"PROPANE" = If propelled by liquefied petroleum gas other than liquefied natural gas; or

"CNG" = If propelled by compressed natural gas. The sign or decal shall be maintained in good legible condition.

- B) The alternate fuel decal shall be displayed near the rear bumper and visible from the rear of the vehicle. (Section 12-704.3 of the Code)

- 13) The Per-buses-manufactured-after-December-31-1998--the vehicle's length (rounded up to nearest whole foot) must be displayed on or adjacent to the interior bulkhead clearly within the driver's view. (For example: vehicle length of 39.1 feet will be displayed as 40 feet.) Each letter or numeral must be at least two inches high and black in color. The measurement must be taken from the front bumper to the rear bumper.

- 14) A "Stop Line" in contrasting color is required between 5.9 and 6.1 inches below the top of each side window opening. The line shall be located between each window that slides downward.

- u) Locked Compartment (Optional). If specified by the purchaser, a lockable compartment may be installed for storage of fire extinguisher, first-aid kit, warning devices, wheel chocks, or other items.

- 1) The compartment locking device shall be connected with an automatic audible and visible alarm that will alert the driver when the engine is running and the compartment is locked. No alarm disconnect, "squench control", or other alarm defeating mechanism shall be installed.

- 2) A red cross, formed of five equal squares, and the words "FIRST-AID KIT" shall be displayed on the compartment door, or



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cover, if the first-aid kit is to be carried in the locked compartment.

- 3) The words "FIRE EXTINGUISHER" shall be displayed on the compartment door, or cover, if the fire extinguisher is to be carried in the locked compartment.

## v) Metal Treatment.

- 1) Unless excluded below, all steel or iron used in construction of the bus body and attached equipment shall be either resistant to atmospheric corrosion, or zinc coated, or treated by equivalent process. Particular attention shall be given to each fastener or attaching device, lapped surface, welded connection or fastening, cut edge, punched or drilled hole, surface subjected to abrasion, closed or box section, and any unvented or undrained area or space. The number of unvented or undrained areas or spaces is to be minimized. Excluded are door handles, grab handles, and interior decorative parts.

- 2) As evidence that above requirements have been met, a sample of fastener, material, or section of body, coated or finished as installed in the bus, when subjected to a 1,000-hour salt spray test in accordance with American Society for Testing and Materials (ASTM) Standard B-117-1997 "Method of Salt Spray (Fog) Testing" shall not exhibit more than 10 percent reduction in weight after all adherent corrosion products are removed.

## w) Mirrors.

- 1) Interior Mirror - A mirror that measures at least 6 inches x 30 inches overall shall be located inside the bus. The mirror shall afford the operator a good view of the bus interior and portions of the roadway to the rear. It shall be firmly supported, constructed of clear-view safety glass and securely backed and framed. It shall have rounded corners. Edges shall be padded to reduce danger of injury upon impact. Exception: For buses that meet the definition of a Type I-A school bus, as defined in Section 440.220, the interior mirror may meet manufacturer's specifications.

- 2) All exterior mirror systems shall conform to the applicable requirements of FMVSS 111 (49 CFR 571.111).

- 3) More convex mirrors than required above may be installed, if specified by the purchaser.

- 4) The reflecting surface on the back of each mirror shall be protected from abrasion, scratching, and atmospheric corrosion.

## x) Mounting of Body. This subsection does not apply to an integral type bus.

- 1) After the date of manufacture of the incomplete vehicle, the chassis frame shall not be altered so as to extend the wheelbase. Other extension(s) of the chassis frame may be accomplished only by the incomplete vehicle, intermediate, or final-stage manufacturer or by an agent of such manufacturer properly instructed and authorized by such manufacturer to make such

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extension(s).

- 2) Insulating material shall be placed at all mounting points between the body and chassis frame. This material shall be at least 5 mm (.2") thick, may have the quality of the sidewall of an automobile tire, and shall be so secured that it will not move, vibrate, or "crawl" out of place during normal operations.

- 3) The body front shall be attached and sealed to the chassis cowl so as to prevent the entry of water, dust, or fumes through the joint between the chassis cowl and the body.

- y) Radio Noise. Radio/stereo ~~For buses manufactured after December 31, 1998, radio/stereo~~ speakers must be located at least four feet behind the rearmost position of the driver's seat.

AGENCY NOTE: Two-way communication radios are allowed.

- z) Rack, Book. Not permissible.

## aa) Reflectors.

- 1) Front

- A) Two yellow rigid or sheet type (tape) front reflex reflectors shall be attached securely and as far forward as practicable. (Section 12-202 of the Code) They shall be located between 15 and 60 inches above the roadway at either fender, cowl, or body and installed so as to mark the outer edge of the maximum width of the bus. No part of the required reflecting material may be obscured by a lamp, mirror, bracket, or any other portion of the bus. No part of the required reflecting material may be more than 11.8 inches (300 mm) inboard of the outer edge of the nearest rub rail. The reflector may be any shape (e.g., square, rectangle, circle, oval, etc.). A rigid type reflex reflector may be any size if permanently marked either DOT, SAE A, or SAE J 594; otherwise, it shall display at least seven square inches of reflecting material (about three inch diameter if a solid circle).

- B) A sheet type (tape) reflex reflector which conforms to FMVSS 108 (49 CFR 571.108 (S5.7.1.2)) may be used but its forward projected reflecting area shall be at least eight square inches.

- 2) Left Side

- One red no more than 12 inches from at or near the front and one red no more than 12 inches from at or near the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. ~~On sides of buses 20 feet or more in length, one amber as near center as practicable must also be provided.~~ (Section 12-202 of the Code) On buses 20 feet or more in length, one amber reflector as near center as practicable must also be provided. The reflector must measure a minimum of three inches in diameter.

- 3) Right Side

- One amber no more than 12 inches from at or near the front and



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one red no more than 12 inches from at or near the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. ~~On sides of buses 20 feet or more in length, one amber as near center as practicable must also be provided.~~ (Section 12-202 of the Code) On buses 20 feet or more in length, one amber reflector as near center as practicable must also be provided. The reflector must measure a minimum of three inches in diameter.

- 4) Rear  
Two red reflectors on rear body within 12 inches of lower right and lower left corners. (Section 12-202 of the Code) The reflectors reflector must measure a minimum of three inches in diameter.

## bb) Rub Rails.

- 1) Rub rails of longitudinally corrugated or ribbed steel at least 100 mm (3.9") wide shall be fixed on the exterior of the bus.  
2) There shall be one rub rail located approximately at seat level that shall extend from the rear of the service entrance completely around the bus body without interruption, except at a rear emergency door or a rear compartment, to a point of curvature near the front of the body on the left side.  
3) There shall be one rub rail on each side located approximately at floor line that shall extend over the same longitudinal distance as the rub rail required under subsection (bb)(2) above, except:  
A) This rub rail need not extend across a wheel housing, and  
B) This rub rail may terminate at the radii of the right and left rear corners of the body.

- 4) Each rub rail required above shall be fastened to the bus body so as to attain at least 60 percent of the tensile strength of the weakest joined material, when strained in a direction parallel to the length of the rub rail.

- 5) Each joint in a rub rail required above shall be constructed so as to attain at least 60 percent of the tensile strength of a jointless length of rub rail, when strained in a direction parallel to the length of the rub rail.

- 6) More than two rub rails may be installed on a side and/or the rear of a bus.

## cc) Seating. Each seat and each barrier are required to conform to FMVSS 222 (49 CFR 571.222).

- 1) Seat, Driver's. The driver's seat shall be rigidly positioned, and shall afford both vertical and fore-and-aft adjustments of not less than 100 mm (3.9"), without the use of a tool or other non-attached device. The shortest distance between the steering wheel and the back rest of the operator's seat shall be no less than 280 mm (11").

- 2) Seats, Students'.

- A) Each seat (except as provided in subsection (cc)(4)) shall be constructed so that the shortest straight-line distance

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from the top of the seat back to the empty seat cushion is 28" when measured near the transverse center of the seat at the front of the seat back and along the angle of rearward inclination of the seat back. Since the height of a seat back is difficult to measure precisely on a repeated basis, a measurement of 27.5" or more is deemed acceptable.

- B) Each seat shall be forward facing (except as provided in subsection (cc)(4)).  
C) A flip-up seat may be located only immediately adjacent to any side emergency door. The flip-up seat must conform to the following:  
i) The seat must be designed so that, when in the folded position, the seat cushion is flat against the seat back to prevent a child's limb from becoming lodged between the seat cushion and seat back.  
ii) The seat must be designed to discourage a child from standing on the seat cushion when in the folded position.  
iii) The working mechanism under the seat must be covered to eliminate any tripping hazard.  
iv) All sharp metal edges on the seat must be padded to prevent any snagging hazard.  
v) No portion of the door latch mechanism can be obstructed by a seat.  
vi) There must be at least 11.7 inches (30 cm) measured from the door opening to the seat back in front.

- D) ~~Optional For buses manufactured on or after January 17, 1999~~ optional seat safety belts must be installed according to specifications provided by the bus body manufacturer. This may include reinforced seats and seat frames.

- 3) Barriers, Students'. The vertical distance from the floor covering to the top of a barrier positioned in front of a student's seat (as required by 49 CFR 571.222) shall measure not less than the vertical distance from the floor covering to the top of the seat back on the seat installed behind that barrier.

- 4) In the case of a seat to be occupied by a student with special needs, the seat back, forward facing, and barrier requirements of subsections (cc)(2) and (3) shall be changed only as necessary to meet the needs of the student with special needs (e.g., seat missing to accommodate wheelchair, hard surfaced stretcher installed to accommodate child who is not capable of sitting in a upright position) (see 92 Ill. Adm. Code 444).

## dd) Seat Belt Seat-belts, Driver's.

- 1) Each driver's seat belt assembly shall be arranged so that all portions of the assembly remain above the floor when not in use. If any retractor(s) are installed, they shall be of the automatic locking type.

- 2) Buses ~~manufactured after December 31, 1998~~ must be equipped with



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a lap belt/shoulder harness design for the driver.

- ee) Service Entrance and Door.
- 1) The service entrance shall be located on the right side near the front, in unobstructed and convenient view of the driver. The service entrance shall have a minimum vertical opening of 1.7 m (67") and a minimum horizontal opening of 610 mm (24").
  - 2) A steel grab handle not less than 250 mm (9.8") in length shall be firmly attached in an unobstructed location on the left side of the entranceway as a person enters the bus.
  - 3) The bottom step in the entranceway shall not extend beyond the exterior of the body. With all seats empty, the bottom step shall be not less than 300 mm (11.8") and not more than 400 mm (15.7") from the roadway. At least two steps shall be provided. The steps shall be enclosed. Risers shall be approximately equal. Each step, including the floor at the top riser, shall be surfaced with a nonskid material with a 40 mm (1.6") to 80 mm (3.1") white nosing as an integral piece.
  - 4) The service door shall be either manually or power operated by the seated driver. When in the closed and secured position, the door operating mechanism shall prevent accidental opening but shall afford prompt release and opening by the driver. No exposed parts of a door operating mechanism shall come together so as to shear or crush finger(s). The vertical closing edge(s) of a service door shall be padded to lessen chance of injury.
  - 5) A power operated door shall be equipped for emergency manual operation in case of power failure. Instructions for emergency operation of a power operated door shall be affixed permanently on the interior of the door in letters at least 12 mm (.5") high.
  - 6) A single-section service door shall be hinged at the front of the service entrance.
  - 7) Glazed panels shall be installed in the service door to afford the driver a view of small children outside the door, traffic signs, and intersecting roadways. The bottom of each lower glass panel shall not be more than 10 inches from the top surface of the bottom step. The top of each upper glass panel shall not be more than 3 inches from the top of the door.
  - 8) Service Door Lock (Optional). If ordered by the purchaser, a lock may be installed on or at the service door. Any type service door locking system installed in the bus shall conform to at least one of the following requirements.
    - A) Requirement 1: A locking system shall not be capable of preventing the driver from easily and quickly opening the service door; or
    - B) Requirement 2: A locking system that is capable of preventing the driver from easily and quickly opening the service door shall include an audible and visible alarm to alert the driver when the engine is running and the service door is locked. No alarm disconnect, "squelch control", or

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other alarm defeating or attenuating device shall be installed; or

- C) Requirement 3: A locking system shall not be capable of preventing the driver from easily and quickly opening the service door except when, and only when, a person outside the bus uses a key that is not capable of locking more than one of at least 1000 of the door manufacturer's key locking systems.
- ff) Steering Wheel Clearance. The rim grip of the steering wheel shall have at least 50 mm (2") clearance in all directions, except at the spokes.
- gg) Steps, Body Front. On each side at the front of the body at least one grab handle and recessed foothold or folding stirrup step shall be installed so as to provide easy access to the windshield for cleaning purposes.
- hh) Stop Signal Arm Panel.
  - 1) A stop signal arm panel must be installed on the left side of the bus that conforms to 49 CFR 571.131. The panel may be operated either manually or mechanically. Decals may be used in lieu of painting. Strobe lamps are acceptable on stop signal arm panels.
  - 2) "Operated ... mechanically" shall be interpreted to include power operation. Also, "16-gauge metal" shall be interpreted to include thicker metal and any nonmetallic material equivalent or superior to hot rolled 16-gauge mild steel in stiffness, corrosion resistance, and durability.
  - 3) Section 440.111, Illustration B depicts the octagon shaped semaphore required in subsection (hh)(1).
  - 4) When demonstrating conformance with signal operating requirements by performing the sequence of operations specified under subsection (g)(1), the driver, or operator, may employ any independent or manual operation or disconnection of the stop signal arm panel that is provided for convenient use by the seated driver without using any type of tool and without removing any unattached part.
  - 45) Additional stop signal arm panels may be added at the purchaser's request. Additional panels must be located on the left side of the bus. Additional panels must operate in conjunction with the required panel and meet all stop arm panel requirements except as follows. The additional panel must not contain any lights, marking or reflective material on the front side of the panel. The additional panel must be located in the rear half of the bus adjacent to the rearmost window.
- ii) Storage Compartment(s) (Optional).
  - 1) If installed, the storage compartment(s) shall be fire-resistant and of adequate strength and capacity for the storage of the items to be carried, such as tire chains, tow chains, tools for roadside or minor repairs, school activity equipment, etc. The compartment(s) shall provide reasonable security for the contents



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and shall be constructed and installed so as to preclude passenger injury due to the compartment(s) or the contents becoming dislodged when the bus is subjected to the maximum possible braking force and to minimize chances of such injury when the bus is subjected to a collision impact.

- 2) If a relatively small storage compartment is located inside the passenger compartment, seat cushion(s) alone may not serve as the cover for the compartment.

jj) Sun Visor. An interior, adjustable, transparent, tinted sun visor not less than 150 mm (5.9") high by 760 mm (29.9") wide shall be so installed that it can be turned up and will remain up when not in use. It may be supported so that it can be moved for use on the driver's left, but when used in front of the driver and in a position approximately parallel to the windshield it shall be supported at or near each of its ends so as to minimize its vibration. Exception: For school buses that meet the definition of a Type I-A school bus, as defined in Section 440.220, the sun visor may meet manufacturer's specifications standards.

kk) Tow Hook, Rear (Optional). Any tow hook(s) installed on the rear shall be attached or braced to the chassis frame, or to an equivalent structural member of an integral type bus. A tow hook may not extend beyond the rear face of the rear bumper.

ll) Undercoating. The underside of the body, including floor members and the side panels below the floor, shall be coated with a fire-resistant undercoating material applied by the spray method so as to seal, insulate, reduce corrosion, and reduce interior noise. Non-metallic components need not be coated.

mm) Ventilation. The body shall be equipped with a controlled ventilation system of sufficient capacity to maintain a satisfactory ratio of outside to inside air under cool and cold operating conditions without opening of windows. With a powered ventilation system, air outlet openings shall be located, sized, and manufactured so that, with doors and windows closed, a positive pressure is maintained in the driver and passenger spaces, to lessen chances of dangerous gas entering such spaces. Fresh air inlet(s) shall be located so as to minimize entrance of either dangerous engine gas or obnoxious engine fumes.

nn) Warning Devices. Emergency warning devices are required to be carried on school buses weighing more than 8,000 pounds and operated upon any highway outside an urban district. The warning devices must be securely stored. The warning devices shall consist of:

- 1) At least three portable red emergency reflectors that conform to 49 CFR 571.125; and
- 2) At least two red cloth flags, not less than 12 inches square, with standards to support the flags; or in lieu of the flags, two additional portable emergency reflectors that conform to 49 CFR 571.125. (Section 12-702 of the Code) Either--three--red--cloth flags--not--less--than--12--inches--square--and--three--red--reflectors--a minimum--of--three--inches--in--diameter--or--three--bi-directional

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~~emergency--triangles--that--conform--to--49-CFR-571-125: (Section 12-702-of-the-Code)--the-kit-must-be-securely-stored-~~

AGENCY NOTE: A school bus must carry warning devices when on the public roads, but the bus purchaser may elect to install warning devices after the bus is purchased.

oo) Weight Distribution and Gross Weight. Storage or cargo spaces, if installed, and seats shall be located so that when the bus is fully loaded as specified or advertised by the manufacturer the loads exerted on the roadway will exceed neither a tire load rating, nor a gross axle weight rating, nor the gross vehicle weight rating indicated by the data displayed on the label permanently affixed in compliance with Section 440.310.

pp) Wheel Housings.

- 1) Each wheel housing opening shall allow for unimpeded wheel and tire service or removal.

- 2) Each rear wheel housing shall provide the clearance recommended in SAE Information Report J683a, August 1985, for installation and use of tire chains on the dual or single tires installed on the rear wheels.

qq) Windows or Glazed Panels, Rear. Glazed panels, or windows, shall be installed in the rear of the bus so as to afford the seated driver a reflected view through the rear of the bus as wide and as high as practical without unduly weakening or increasing the cost of the body structure. Such view shall be as low as allowed by the back(s) of the rear seat(s) except that, when the aisle required under subsection (a), extends to a rear emergency door, an additional lower glazed panel shall be installed to afford the driver an additional view through such panel at least the width of the required aisle and as low and high as practical.

rr) Window Openings, Side. This subsection does not apply to a window or glazed panel installed forward of a front passenger seat, and is optional for a window installed either beside a rear passenger seat, special service door, or in a side emergency exit.

- 1) All side windows shall open from the top only and shall operate freely.

- 2) There shall be one vertical opening side window for each seat.

- 3) Each side window shall provide an unobstructed emergency egress opening at least 9" high and 22" wide. The opening may extend to 18" above the unoccupied passenger seat cushion but no closer (to the seat cushion).

- 4) A stop line for the window opening shall be applied 6" from the top of the window opening.

- 5) The side windows may be split sash.

- 6) All exposed edges of glass shall be banded.

- 7) The window latches shall be recessed.

AGENCY NOTE: See Section 440.420(o) for glazing material requirements.

~~This subsection does not apply to a window or glazed panel--installed~~



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forward-of-a-front-passenger-seat-and-are-optional-for-a-window installed-either-beside-a-rear-passenger-seat-or-in-a-side-emergency exit-

1) By-sliding-downwards-each-side-window-not-excluded-above-shall provide-an-opening-for-emergency-egress-at-least-560-mm-(22") wide-(fore-aft)-and-at-least-230-mm-(9")-high.-However-with the-window-in-its-lowest-position-the-opening-shall-be-at-least 460-mm-(18-1/4")-above-the-seating-surface-of-any-passenger-seat. Any-latch-located-in-the-side-window-opening-shall-be-recessed. Each-such-opening-shall-be-free-of-exterior-or-interior-window guard(s)-or-bar(s).-Split-sash-windows-may-be-installed.-Each exposed-edge-of-glass-shall-be-banded.

2) A-horizontal-stop-line-shall-be-affixed-permanently-across-the stationary-structure-between-each-of-the-windows-that-can-be opened-by-sliding-downwards.-The-bottom-of-the-line-shall-be between-150-mm-and-155-mm-(5-9/16"-and-6-1/4")-below-the-top-of-the window-opening.-The-line-shall-contrast-with-the-color-of-the stationary-structure-and-be-at-least-5-mm-(3/16")-wide.

## ss) Windshield.

1) The windshield shall be large enough to permit the operator to see the highway clearly, and shall be curved or slanted to reduce glare. The front cornerposts and other supports shall be shaped and located so as to cause as little obstruction to the driver's view of the highway as practical.

2) The windshield shall have a graduated glazing shade band across the top. The definition and boundary of this shade band shall be as recommended in SAE Recommended Practice J100, June 1995 and 1969.

## tt) Windshield Wipers.

See the FMVSS for requirements (49 CFR 571.104).

## uu) Windshield Washer.

See the FMVSS for requirements (49 CFR 571.104).

1) All wiring for lamps and other electrical devices shall be as recommended for automobiles, motor coaches, and heavy duty starting motor circuits in SAE Recommended Practices J556, J555a, and J541a, October 1996, and in other practices or standards referenced therein, unless preempted by FMVSS.

## 2) Circuits.

A) Wiring shall be arranged in at least nine regular circuits as follows:

- i) Head, tail, stop (brake), and instrument panel lamps;
- ii) Clearance lamps and any lamps in or adjacent to step risers;
- iii) Interior lamps;
- iv) Starter motor;
- v) Ignition, emergency exit alarm signal(s), and other alarm signal(s);

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- vi) Turn signal lamps;
- vii) Alternately flashing signal lamps and stop signal arm lamps;
- viii) Horn;
- ix) Heater and defroster.

B) Any of the above combination circuits, except (vii), may be divided into independent circuits. Whenever feasible, all other electrical functions (sanders, windshield wipers, heaters, defrosters, etc.) shall be provided with independent and properly protected circuits.

3) Each body circuit shall be coded either by numeral(s) and/or letter(s) at approximately 100 mm (3.9") intervals, or by color and numeral(s) and/or letter(s), or by color(s) only. The code(s) shall appear on a diagram of the circuits in a readily accessible location.

4) A separate fuse or circuit breaker shall be provided for at least each circuit required under subsection (vv)(ttt)(2)(A), except that components of the engine starter and ignition circuits may be protected by other means.

5) Wires not enclosed within the body shall be fastened securely at intervals of not more than 460 mm (18.1").

6) All terminals and splice clips shall be accessible.

7) The chassis manufacturer shall install a readily accessible electrical terminal so that the net body and chassis electrical current flow can be indicated through a chassis ammeter without dismantling or disassembling the chassis component. The chassis wiring to this terminal shall have a current carrying capacity at least equal to the maximum generator output.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART F: CHASSIS REQUIREMENTS

## Section 440.510 Incorporation by Reference of Federal Motor Vehicle Safety Standards

Each bus body must conform to the applicable provisions of the Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.101 through 571.304) in effect on the first day of the month in which the chassis manufacturer completed his last manufacturing operation on the incomplete bus. Those applicable provisions of the FMVSS are incorporated by reference as that Subpart of the FMVSS was in effect on October 1, 2000 1997. No later amendments to or editions of 49 CFR 571.101 through 571.304 are incorporated.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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## Section 440.520 State Requirements

Except for mirrors, which may project 152 mm (6 inch), a school bus shall not exceed 2.625 m (8 feet) in width, 4.429 m (13 feet 6 inches) in height, nor 13.78 m (42 feet) in length (Sections 15-102 & 15-107 of the Illinois Vehicle Code (the Code) [625 ILCS 5/15-102 and 15-107] (11-Rev-Stat-1997-ch-95-1/27-pars-15-102-and-15-107)). Exceptions to the above are shown in Section 440.420 of this Part. Various portions of the bus chassis shall conform to the requirements set forth under the following subsections paragraphs.

- a) Air Cleaner. The bus shall be equipped with an adequate oil bath, dry element, or equivalent type air cleaner. Unless otherwise specified by the purchaser, the engine combustion air shall pass through a dry type air cleaner equipped with a plated paper dry element. The dry type air cleaner shall be manufactured so as to allow use of separate plated paper dry replacement elements. The engine combustion air cleaner shall be mounted outside the passenger compartment.
- b) Axles. Must meet federal chassis requirements as indicated on the federal certification label as required by 49 CFR 567 and 49 CFR 568.
- c) Battery. See Section 440.420(b) of this Part.
- d) Brakes. See the FMVSS for requirements (49 CFR 571.105).
- e) Bumper, Front. The front bumper shall be of channel type cross section, shall be formed from rolled steel at least 4.5 mm (.177 inches) thick, shall have not less than a 200 mm (7.9 inches) vertical face, and shall extend to protect the outer edges of the fenders, or the body of a forward control bus. The bumper shall be of sufficient strength to permit pushing another vehicle of equal gross weight without permanent distortion. Exception: For school buses that meet the definition of a Type 1-A school bus, as defined in Section 440.220, the bumper may meet manufacturer's specifications when the Type 1-A school bus is equipped with a driver side air bag.
- f) Clutch. A bus having a manual shift transmission shall be equipped with the type and size of clutch recommended by the incomplete vehicle manufacturer for heavy duty service between the engine and transmission installed in the bus.
- g) Color and Paint. See Section 440.420(g) of this Part.
- h) Drive Shaft. A suitable guard shall be provided for each segment of the drive shaft to prevent accident or injury if the shaft breaks or becomes disconnected.
- i) Engine. Type and displacement may be specified by the purchaser.
- j) Exhaust System.
  - 1) The exhaust pipe, muffler and tail pipe shall be outside the bus body and attached to the chassis.
  - 2) The exhaust system shall be insulated from any insulated wire, flammable material, brake hose or line, or fuel system component by a securely attached metal shield at any point where the exhaust system is 11.8 inches (300 mm) or less (four inches (101.6 mm) or less if diesel powered engine) from the components

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listed in this subsection (j)(2).

- 3) The tail pipe shall be extended to exit the exhaust gases either to the right or left side, or rear of the bus, except for prohibited zones as shown in Illustration C - Exhaust Discharge Prohibited Zones.
- 4) The tail pipe shall extend out to but not more than 1 inch (25.4 mm) beyond the perimeter of the body or the bumper.
- 5) The shielding of engine compartment components shall be governed by the chassis manufacturer's standards.
- 6) Each gas conducting component that is not of stainless steel shall be of commercial heat and corrosion resistant exhaust system material and shall be nonflexible.
- 7) For school buses that meet the definition of a Type 1-A school bus, as defined in Section 440.220, the tail pipe may meet the chassis manufacturer's standard configuration. However, the tail pipe shall not exit beneath any fuel filler location or beneath any emergency exit door.

The term "exhaust system" includes each manifold, gasket, connector, clamp, hanger, support, muffler, chamber, pipe, tube or other component used to collect products of combustion from each engine exhaust port to the most remote point at which such products are discharged into the atmosphere.

- 1) The exhaust system shall be outside the passenger and driver compartments. It shall be securely attached to the chassis, with provisions for accommodating expansion, contraction, and engine movements. Each gas conducting component that is not of stainless steel shall be of commercial heat and corrosion resistant exhaust system material and shall be nonflexible. The complete exhaust system shall be tightly connected and without a leak or outlet other than the opening at discharge end.
- 2) The exhaust system shall be thermally insulated or shielded from a nearby pedestrian or cyclist, except at the discharge end, and shall be shielded as necessary to prevent "hitching to," for gasoline and alternate fuel (e.g., liquid petroleum gas, or compressed natural gas), powered engines, any insulated wire, flammable material, brake hose, or fuel system component containing fuel that is located within 300 mm (11.8") of an exhaust system component which conducts products of combustion shall be protected by thermal insulation, heat baffle, or other shield capable of protecting from the impingement of hot exhaust gases escaping from a deteriorated exhaust system. For diesel powered engines, the above mentioned shielding is only required if the insulated wire, flammable material, brake hose or fuel system component is within 101.6 mm (4 inches) of an exhaust system component. All other shielding requirements apply to diesel powered engines. However, inside the engine compartment the chassis manufacturer's standard governing the distance or shielding between exhaust manifold and brake electric or fuel system shall prevail.



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3) The discharge end, or end, of the exhaust system shall be within 25 mm (1 inch) of the side, rear, or rear corner of the bus. The discharge shall be directed so as not to significantly impinge upon any part of the bus when the bus is stationary in calm air and so as to minimize such impingement when the bus is moving. The discharge shall not be directed toward any door or other opening into the bus body. The exhaust system shall not extend beyond a side rail, nor beyond the rear bumper. It shall not provide a step or opening for a small foot to stand on or in.

A) A side discharge opening shall be located behind the driver compartment on the left and in a (39-44) or more from any type of service entrance on the right.

B) The distance rearward from a side discharge opening to a fuel tank or other fuel-containing component, or to the transverse plane through the front edge of either a side emergency door or a side body ventilating air intake, shall be 1 m (39-44) or more. However, a fuel-containing component may be closer if shielding effective in preventing heating of fuel is installed.

C) The distance between a discharge opening and a tire or the transverse plane containing the rear vertical edge of a side emergency door, or the longitudinal plane containing any vertical edge of a rear emergency door, shall be 150 mm (5-9) or more. A discharge opening shall not be located between the planes perpendicular to an emergency door and containing the vertical edges of the closed door.

B) Each location or distance certified in relation to a door shall apply to the closed door in its normal travel position:

k) Frame. See Section 440.420(xw)(1) of this Part.

l) Generating System. The generating system may utilize either mechanical rectification (commutator type) or diode rectification (alternator type).

1) The generator output shall be regulated automatically so as to provide for efficient battery charging without causing damaging potentials or currents in any part of the electrical system. Automatic means shall be provided to prevent battery discharge through the generator while the generator is not delivering current.

2) The generator in a nominal 12 volt system shall be able to deliver a continuous current of 60 amperes, or more, while its automatic regulating devices are connected and functioning properly and the engine is running no faster than the speed at which it delivers its maximum net torque at the engine flywheel.

3) The generator in a nominal 12 volt system shall be able to deliver a continuous current of 20 amperes, or more, while its automatic regulating devices are connected and functioning

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properly and the engine is running no faster than the curb idle speed recommended by the engine manufacturer.

4) The generator in a nominal voltage system higher or lower than 12 volts shall be able to deliver at least the same continuous power (watts) as indicated under subsections (1)(2) and (2) of Section 440.520(i)(3) of this Section Part, at the engine speeds indicated therein.

AGENCY NOTE: Where a bus must operate under adverse conditions such as low engine speeds, frequent periods of engine idle, and/or with high electrical load (frequent use of signals and interior lamps, high heater/defroster loads, etc.) for prolonged periods of time, the purchaser should specify a larger generator commensurate with operating conditions.

m) Horn(s).

1) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn or other warning device shall emit an unreasonable loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway. (Sec. 12-601(a) of the Code.)

1) At least one horn shall be installed giving an audible warning at a distance of 200 feet so as to conform to subsection (j)(1). The horn(s) shall be controlled conveniently by the seated driver.

2) A siren, whistle, or bell may not be installed to attract attention of pedestrians or drivers outside the bus (Section Sec. 12-601(b) of the Code). This prohibition shall not be interpreted to prohibit use of such device(s) inside the bus body to provide warning(s) to the bus driver.

n) Instruments. The bus shall be equipped with at least the following nonglare illuminated instruments and gauges mounted for easy maintenance and repair and in such a manner that each is clearly visible to the seated driver:

1) Ammeter, with "charge" and "discharge" indications, provisions for 100 ampere, or more, continuous current indication, and arranged so as to remain unharmed by any ammeter current flow resulting from the installed generator operating at its maximum output;

2) Gauge, Air Pressure or Vacuum (where air pressure or vacuum is utilized either to apply or to assist in applying the service brakes);

3) Gauge, Engine Coolant Temperature;

4) Gauge, Engine Oil Pressure;

5) Gauge, Fuel;

6) Odometer (may be combined with speedometer; may indicate



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kilometers traveled if such indication is shown, clearly and conspicuously);  
7) Speedometer, with both miles per hour and kilometers per hour scales that are easily readable.

o) Lamps and Signals. See Section 440.420 (SR) of this Part.

p) Oil Filter. A "full flow" type engine oil filter of approximately 1 liter (1 quart) capacity shall be installed. The purchaser may specify additional "full flow" or "by-pass" type filter(s), or oil treatment device(s).

q) Shock Absorbers. Two front and two rear double-acting shock absorbers of adequate capacity shall be installed.

r) Spare Tire (Optional). The spare tire and rim, if supplied, shall be of the same size designation and load rating as the largest tire and rim installed on the bus. Each spare tire and rim shall be suitably mounted in an accessible location outside the passenger compartment.

s) Springs and Suspension. Each spring and other component in any of the suspension systems shall be capable of supporting its share of the rated gross axle weight during normal operations. Where spring failure could result in total loss of control of the bus, suitable means shall be provided to make such total loss most unlikely.

t) Steering Mechanism. Power steering is optional. The steering mechanism(s) shall provide safe and accurate performance at maximum load and speed and shall be adjustable while installed on the completed bus. After the date of manufacture of the incomplete vehicle, the steering mechanism(s) shall not be modified unless such modification is done with the concurrence of the incomplete vehicle manufacturer and in accordance with the incomplete vehicle manufacturer's instructions.

u) Tow Hooks, Front (Optional). A front tow hook may not extend beyond the front of the front bumper. Each front tow hook not fastened securely to the chassis frame shall be connected to the frame by suitable braces.

v) Transmission. Unless otherwise specified by the purchaser, the transmission shall be manual-shift.

1) A manual-shift transmission shall provide not less than 4 forward gear ratios and 1 reverse gear ratio. A synchromesh shifting mechanism shall be provided for each forward gear ratio except for the highest ratio; i.e., "first gear" or "low gear". (Synchromesh may be specified for "first" or "reverse" gears at the purchaser's option).

2) An automatic transmission may be specified by the purchaser. Such transmission shall provide not less than 3 forward gear ratios and 1 reverse gear ratio.

w) Undercoating. The entire underside of front fenders or wheel wells shall be coated with a fire-resistant undercoating material in order to seal joints and to reduce corrosion and noise. Nonmetallic components need not be coated.

x) Weight/Power Limitation. The ratio of the bus gross vehicle weight

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rating (GWR) to the certified and published maximum net brake power of the bus engine shall not exceed 1.0 newtons-per-watt (300 pounds-per-horsepower) at the maximum engine speed (rpm) recommended by the engine manufacturer for full power operation in school-bus service. This weight/power ratio will provide for higher speeds on grades than the 400-lb/hp ratio proposed in the U.S. Government publication "House Document No. 3547," August 1964 (pages 26-27) to assure 20 miles-per-hour while climbing a 3-percent grade. A purchaser who needs a bus with relatively "snappy performance" or a bus capable of maintaining relatively high speeds on relatively steep grades in rural operations should purchase a bus with a lower weight/power ratio commensurate with operating necessities.

x) Wiring. See Section 440.420 (VWR) of this Part.

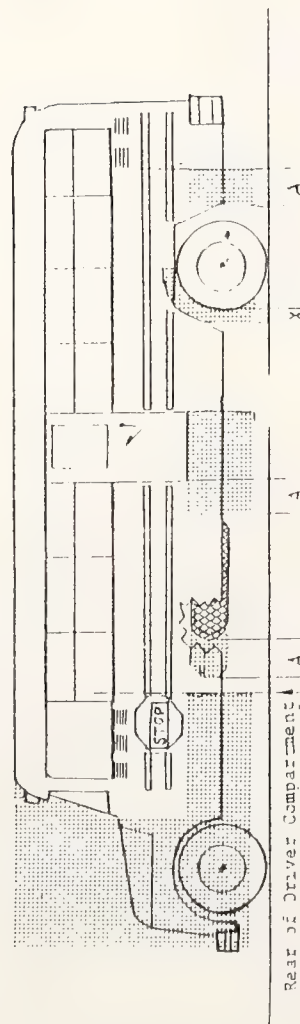
(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



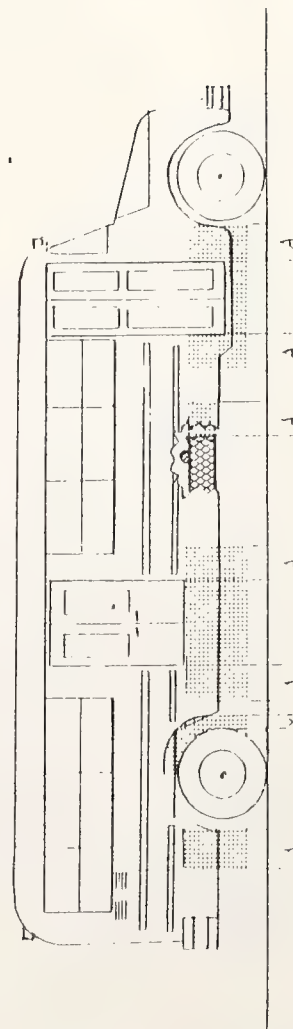
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## Section 440. ILLUSTRATION C Exhaust Discharge Prohibited Zones

GRAPHIC MATERIAL  
See printed copy of IAC for detail




NOT TO SCALE

Distance  $\lambda = 1$  meter (39 3/8")

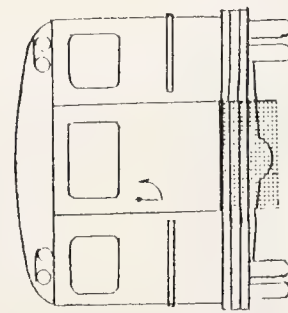
Distance  $x = 150$  millimeters,  $(5 \frac{7}{8})$

DECLASSIFICATION AUTHORITY

Ventilating Air Inake  
(anywhere on side)

 Fuel Tank

Heat shield between tank & discharge eliminates prohibited zone at tank.



(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

(Source: Added at Ill. Reg., effective           .)



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- 1) Heading of the Part: Minimum Safety Standards for Construction of Type II School Buses
- 2) Code Citation: 92 Ill. Adm. Code 442
- 3) Section Numbers:
- |         |                         |
|---------|-------------------------|
| 442.110 | <u>Proposed Action:</u> |
| 442.120 | Amend                   |
| 442.130 | Amend                   |
| 442.205 | Amend                   |
| 442.210 | Amend                   |
| 442.213 | New Section             |
| 442.214 | New Section             |
| 442.215 | Amend                   |
| 442.218 | New Section             |
| 442.220 | Amend                   |
| 442.225 | Repeal                  |
| 442.230 | Amend                   |
| 442.235 | Amend                   |
| 442.240 | Amend                   |
| 442.245 | Amend                   |
| 442.250 | Amend                   |
| 442.253 | New Section             |
| 442.255 | Amend                   |
| 442.258 | New Section             |
| 442.259 | New Section             |
| 442.265 | Amend                   |
| 442.270 | Amend                   |
| 442.275 | Amend                   |
| 442.285 | Amend                   |
| 442.295 | Amend                   |
| 442.300 | Amend                   |
| 442.310 | Amend                   |
| 442.315 | Amend                   |
| 442.320 | Amend                   |
| 442.325 | Amend                   |
| 442.410 | Amend                   |
| 442.415 | Amend                   |
| 442.420 | Amend                   |
| 442.425 | Amend                   |
| 442.430 | Amend                   |
| 442.435 | Amend                   |
| 442.440 | Amend                   |
| 442.445 | Amend                   |
| 442.455 | Amend                   |
| 442.465 | Amend                   |
| 442.470 | Amend                   |
| 442.480 | Amend                   |

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- 442.485 Amend
- 442.490 Amend
- 442.610 Amend
- 442.615 Amend
- 442.620 Amend
- 442.705 Amend
- 442.715 Amend
- APPENDIX A Repeal
- APPENDIX B Repeal
- APPENDIX D Repeal
- 4) Statutory Authority: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/Ch.12, Art. VIII].
- 5) A complete description of the subjects and issues involved: By this Notice of Proposed Amendments, the Department is updating, deleting and revising provisions for consistency with 92 Ill. Adm. Code 440, Minimum Safety Standards for Construction of Type I School Buses, and, in some cases, for consistency with 92 Ill. Adm. Code 443, Inspection Procedures for Type II School Buses. The Department's goal is to have as much consistency as possible between the specification standards governing the construction of both types of school buses and the inspection standards used to determine compliance. For the most part, the updating does not result in substantive changes to existing standards. However, the Department is adding new provisions pursuant to P.A. 91-168, effective January 1, 2000, requiring strobe lamps and reflective tape on school buses. The following summarizes changes made to each Section.
- Section 442.110 Scope:** Deleting obsolete language and adding a reference to applicable standards from the Society of Automotive Engineers (SAE) Handbook.
- Section 442.120 Definitions:** Deleting outdated definitions and adding updated definitions consistent with 92 Ill. Adm. Code 440, Minimum Safety Standards for the Construction of Type I School Buses.
- Section 442.130 Federal Requirements:** Updating provisions, updating the Section heading and updating the date of incorporation by reference of federal standards to October 1, 2000. Also, adding an incorporation by reference of applicable Society of Automotive Engineers Standards, 1998 edition.
- Section 442.205 Aisle:** Deleting references to federal final rules that are now contained in 49 CFR 571.217.
- Section 442.210 Body Structure:** Amending this Section for consistency with standards promulgated in 92 Ill. Adm. Code 440.



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**Section 442.213 Bumper, Rear:** Adding this new Section on rear bumper requirements to be consistent with 92 Ill. Adm. Code 440.

**Section 442.214 Capacity, Passenger:** Adding this new Section to be consistent with 92 Ill. Adm. Code 440. Includes statutory language used to determine passenger capacity ratings.

**Section 442.215 Ceiling and Side Walls:** Adding requirements addressing additional projections. Establishing a specific measurement so that manufacturers know when to pad additional projections. Adding a requirement regarding interior height requirements that was previously located in Section 442.210. The new requirement is consistent with 92 Ill. Adm. Code 440.

**Section 442.218 Crossing Control Arm:** Adding this new Section on requirements for a crossing control arm as required by P.A. 91-168, effective January 1, 2000.

**Section 442.220 Defrosters:** Amending provisions for consistency with 92 Ill. Adm. Code 440. Adding a reference to an applicable federal standard.

**Section 442.225 Doors:** Repealing entire Section. This Section is no longer necessary in the Type II standards. School buses are no longer manufactured as another vehicle type and then converted into a school bus, which was the practice in the past.

**Section 442.230 Emergency Exits and Door Alarms (See FMVSS):** Amending provisions for consistency with 92 Ill. Adm. Code 440. However, no substantive changes are being made.

**Section 442.235 Floor Covering:** Amending provisions for consistency with 92 Ill. Adm. Code 440. However, no substantive changes are being made.

**Section 442.240 Glazing:** Amending provisions for consistency with 92 Ill. Adm. Code 440. However, no substantive changes are being made.

**Section 442.245 Heater:** Adding provisions for consistency with 92 Ill. Adm. Code 440 that requires a nameplate on each secondary heater.

**Section 442.250 Identification/Lettering:** Removing a provision and replacing it with one identical to 92 Ill. Adm. Code 440. No substantive changes are being made.

**Section 442.253 Metal Treatment:** Adding this new Section for consistency with 92 Ill. Adm. Code 440.

**Section 442.255 Mirrors:** Amending provisions for consistency with 92 Ill. Adm. Code 440 and 49 CFR 571.111.

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**Section 442.258 Paint/Color Requirements:** Adding this new Section for consistency with 92 Ill. Adm. Code 440, 625 ILCS 5/12-801 and 49 CFR 571.217.

**Section 442.259 Rack, Book/Luggage:** Adding this new Section for consistency with 92 Ill. Adm. Code 440 and 92 Ill. Adm. Code 443, Inspection Procedures for Type II School Buses.

**Section 442.265 Seat Belts:** Updating provisions pursuant to 49 CFR 571.209 and 210. Clarifying provisions regarding seat belt retractors.

**Section 442.270 Seating:** Removing references to the Federal Motor Vehicle Safety Standards that are being repealed in Section 442. Appendix B. Adding a reference to the use of child restraint systems in school buses. Updating for consistency with 92 Ill. Adm. Code 440 and 443.

**Section 442.275 Service Entrance:** Adding and amending provisions for consistency with 92 Ill. Adm. Code 440. Adding requirement providing that interior handrails be located to the left of a person entering a bus, thereby prohibiting forward handrails.

**Section 442.285 Stop Signal Arm:** Updating requirements pursuant to 49 CFR 571.131 and for consistency with 92 Ill. Adm. Code 440. Adding provisions regarding additional optional stop arm panels.

**Section 442.295 Sun Visor:** Reordering of subsections and clarifying provisions regarding a passenger side sun visor.

**Section 442.300 Undercoating:** Amending provisions for consistency with 92 Ill. Adm. Code 440. However, no substantive changes are being made.

**Section 442.310 Window Openings:** Updating provisions for consistency with 92 Ill. Adm. Code 440.

**Section 442.315 Windshield, Section 442.320 Windshield Wipers, and Section 442.325 Windshield Washer:** Updating references to the federal standard, 49 CFR 571.104.

**Section 442.410 Axles:** Updating provisions and references to 49 CFR 567 and 568 for consistency with 92 Ill. Adm. Code 440 and 92 Ill. Adm. Code 443. However, no substantive changes are being made.

**Section 442.415 Brakes:** Clarifying and citing to requirements in the Federal Motor Vehicle Safety Standards.

**Section 442.420 Bumpers, Front and Rear:** Updating and reorganizing requirements for consistency with 92 Ill. Adm. Code 440. Also, adding a requirement that the entire front bumper be of metal construction.



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**Section 442.425 Drive Shaft:** Updating the Section heading to include the word "Guard" for consistency with 92 Ill. Adm. Code 440.

**Section 442.430 Engine:** Clarifying the provision to allow, instead of require, the purchaser to specify the type of engine.

**Section 442.435 Exhaust System and Muffler:** Updating and clarifying requirements for consistency with 92 Ill. Adm. Code 440 and 92 Ill. Adm. Code 443.

**Section 442.440 Frame:** Updating requirements for consistency with 92 Ill. Adm. Code 440. However, no substantive changes are being made.

**Section 442.445 Fuel Tank:** Amending a provision to cite to a Federal Motor Vehicle Safety Standard.

**Section 442.455 Horn:** Amending a provision for consistency with 92 Ill. Adm. Code 440 and 625 ILCS 5/12-601.

**Section 442.465 Instruments:** Adding the term "voltmeter" as synonymous with the term "ammeter."

**Section 442.470 Oil Filter:** Replacing the term "throw away" with the term "disposable."

**Section 442.480 Springs:** Adding the word "Suspension" to the Section heading for consistency with 92 Ill. Adm. Code 440.

**Section 442.485 Steering Gear:** Replacing the word "Gear" with the word "Mechanism" in the Section heading for consistency with 92 Ill. Adm. Code 440.

**Section 442.490 Tires and Wheels:** Adding a cite to a Federal Motor Vehicle Safety Standard.

**Section 442.610 Generator or Alternator:** Adding the word "her" after the word "his" to include the feminine gender.

**Section 442.615 Lamps, Reflectors, and Signals:** Replacing the existing requirements with requirements identical to 92 Ill. Adm. Code 440. However, no substantive changes are being made. Adding requirements for strobe lamps as required by P.A. 91-168, effective January 1, 2000.

**Section 442.620 Wiring:** Adding a cite to a Federal Motor Vehicle Safety Standard.

**Section 442.705 Fire Extinguisher (Purchaser's Option):** Adding the halon-type fire extinguisher as an approved type for use in Type II School

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Buses. Clarifying the Agency Note regarding after-market installation of a fire extinguisher.

**Section 442.715 Warning Devices for Disabled Vehicles (Purchaser's Option):** Removing language and replacing it with statutory language that clarifies the requirements. Adding a statement regarding securing the warning devices. Amending the Agency Note to simplify and clarify the note.

**Section 442.Appendix A Hexagon Shaped Stop Signal Arm:** Repealing the Appendix to remove the reference to the hexagon shaped semaphore that is no longer allowed on newly manufactured school buses.

**Section 442.Appendix B Federal Motor Carrier Safety Standards (FMVSS) and Related Rules:** Repealing the Appendix to delete references to outdated Federal Motor Vehicle Safety Standards. This amended Appendix B details the locations on a school bus where exhaust is prohibited from discharging and will be consistent with 92 Ill. Adm. Code 440, 441 (Inspection Procedures for Type I School Buses) and 443.

**Section 442.Appendix D Sheeting and Tape, Reflective: Nonexposed Lens:** Repealing an outdated requirement that is no longer necessary for compliance with this Part.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? Yes

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This Part affects units of local government, specifically school districts, that own or operate Type II School Buses.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

By U.S. Mail:  
Ms. Catherine Allen  
Illinois Department of Transportation  
Division of Traffic Safety  
P.O. Box 19212  
Springfield, Illinois 62794-9212



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(217) 785-1181

By Messenger or Inter-Agency Mail:

DOT Annex Building  
3215 Executive Park Drive  
Commercial Vehicle Safety; 3rd Floor  
Springfield, Illinois

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Ms. Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield, Illinois 62764  
(217)782-3215

Comments received within 45 days after the date of publication of this *Illinois Register* will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: This Part affects small businesses that own or operate Type II School Buses.

B) Reporting, bookkeeping or other procedures required for compliance.  
No additional requirements pursuant to this rulemaking.

C) Types of professional skills necessary for compliance: No new skills are necessary for compliance with this rulemaking.

13) Regulatory Agenda on which this rulemaking was summarized: January 2001

The full text of these Proposed Amendments begins on the next page:

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TITLE 92: TRANSPORTATION

CHAPTER I: DEPARTMENT OF TRANSPORTATION

SUBCHAPTER e: TRAFFIC SAFETY (EXCEPT HAZARDOUS MATERIALS)

PART 442

MINIMUM SAFETY STANDARDS FOR CONSTRUCTION OF  
TYPE II SCHOOL BUSES

SUBPART A: GENERAL

Section  
442.110 Scope  
442.120 Definitions  
442.130 Incorporation by Reference and Certification Federal Requirements

SUBPART B: CONSTRUCTION OF BODY

Section  
442.205 Aisle  
442.210 Body Structure and Mounting  
442.213 Bumper, Rear  
442.214 Capacity, Passenger  
442.215 Ceiling and Side Walls Sidewalls  
442.218 Crossing Control Arm  
442.220 Defrosters  
442.225 Doors (Repealed)  
442.230 Emergency Exits and Door Alarms (See-PMVSS)  
442.235 Floor Covering  
442.240 Glazing Materials  
442.245 Heater  
442.250 Identification/Lettering  
442.253 Metal Treatment  
442.255 Mirrors  
442.258 Paint/Color Requirements  
442.259 Rack, Book/Luggage  
442.260 Rub Rails  
442.265 Seat Belts, Driver's and Passengers'  
442.270 Seating  
442.275 Service Entrance and Door  
442.280 Stanchion Guard Panel or Barrier Guard  
442.285 Stop Signal Arm  
442.290 Tool Compartment (Purchaser's Option)  
442.295 Sun Visor  
442.300 Undercoating  
442.305 Ventilation  
442.310 Window Openings Opening  
442.315 Windshield  
442.320 Windshield Wipers



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442.325 Windshield Washer

SUBPART C: CHASSIS REQUIREMENTS

- Section
- 442.405 Air Cleaner
- 442.410 Axles
- 442.415 Brakes
- 442.420 Bumper Bumpers, Front and-Rear
- 442.425 Drive Shaft Guard
- 442.430 Engine
- 442.435 Exhaust System and Muffler
- 442.440 Frame
- 442.445 Fuel Tank
- 442.450 Heater Connections
- 442.455 Horn
- 442.460 Ignition Lock
- 442.465 Instruments
- 442.470 Oil Filter
- 442.475 Shock Absorbers
- 442.480 Springs and Suspension
- 442.485 Steering Mechanism Gear
- 442.490 Tires and Wheels
- 442.495 Transmissions

SUBPART D: ELECTRICAL SYSTEM REQUIREMENTS

- Section
- 442.605 Battery
- 442.610 Generator or Alternator
- 442.615 Lamps, Reflectors, and Signals
- 442.620 Wiring

SUBPART E: EQUIPMENT REQUIREMENTS

- Section
- 442.705 Fire Extinguisher (Purchaser's Option)
- 442.710 First-Aid Kit (Purchaser's Option)
- 442.715 Warning Devices for Disabled Vehicle (Purchaser's Option)
- APPENDIX A Hexagon Shaped Stop Signal Arm (Repealed)
- APPENDIX B Federal Motor Vehicle Safety Standards (FMVSS) and Related Rules (Repealed)
- APPENDIX C Specification for Sheet Reflective Material -- Encapsulated Lens (Based on FHWA Notice N 5040.17, June 15, 1976) (Repealed)
- APPENDIX D Sheeting and Tape, Reflective: Nonexposed Lens (Repealed)
- APPENDIX E Octagon Shaped Stop Signal Arm

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AUTHORITY: Implementing Article VIII of Chapter 12 and authorized by Section 12-812 of the Illinois Vehicle Code [625 ILCS 5/Ch. 12, Art. VIII].

SOURCE: Adopted at 2 Ill. Reg. 45, p. 115, effective November 10, 1978; codified at 8 Ill. Reg. 15002; amended at 8 Ill. Reg. 15505, effective August 10, 1984; amended at 12 Ill. Reg. 4220, effective February 9, 1988; amended at 16 Ill. Reg. 1685, effective January 14, 1992; amended at 17 Ill. Reg. 3540, effective March 2, 1993; amended at 18 Ill. Reg. 14789, effective September 20, 1994; amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: In this Part, unless the context clearly indicates otherwise, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

SUBPART A: GENERAL

Section 442.110 Scope

This Part regulation is intended to provide minimum standards for constructing and equipping new Type II school buses manufactured for use in Illinois. ~~Manufactured after August, 1974, including Van-Type Conversions. It explains~~ This Part assumes compliance with applicable Federal Motor Vehicle Safety standards (FMVSS) (49 CFR 571), and the Society of Automotive Engineer standards (SAE), and implements applicable Sections of the Illinois Vehicle Code (the Code) [625 ILCS 5/Ch. 12, Art. VIII]. In State Statutes which require compliance and, in addition, this Part sets forth certain other minimum standards established by the Department, and authorized by Section 12-812 of the Code, State to govern aspects not governed by the FMVSS, SAE Standards, or the Code Federal Motor Vehicle Safety Standards. At the request of school bus owners and operators, a few of the State requirements in this Part relate to durability and maintenance of school buses rather than safety.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.120 Definitions

Words and terms are used in the appropriate meaning defined in Webster's--Third New International Dictionary of the English Language unless a different meaning is specifically ascribed below:

"ANSI" means the American National Standards Institute (11 West 42nd Street, New York, N.Y. 10036).

"Body" means the portion of a bus that encloses the occupant and cargo spaces and separates those spaces from the chassis frame, engine compartment, driveline, exhaust system, power train, steering system,



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and other "chassis" components, except certain chassis controls used by the driver.

"Body-on-Chassis" means a completed vehicle consisting of a passenger seating body mounted on a truck type chassis (or other separate chassis) so that the body and chassis are separate entities, although one may reinforce or brace the other.

"Code (the Code)" means the Illinois Vehicle Code [625 ILCS 5].

"Driver" means *Every person who drives or is in actual physical control of a vehicle*. (Section 1-116 of the Code ~~49 CFR 571.3~~)

"Empty Weight" means the "unloaded vehicle weight", i.e., the weight of a vehicle with maximum capacity of all fluids necessary for operation of the vehicle but without cargo or occupant (49 CFR 571.3), plus 350 pounds allowance for driver and equipment.

~~"Federal Definitions": In the Federal rules and standards terms are used as defined directly or by reference in 49 CFR 567, 568 or 571. See Appendix-B:~~

"FMVSS" means the Rules-Regulations and standards Standards set forth in Part-571-in-Title-49-Code-of-Federal-Regulations-49 CFR 571 and known as the "Federal Motor Vehicle Safety Standards". See Appendix-B:

"Forward Control" means a configuration in which more than half of the engine length is rearward of the foremost point of the windshield base and the steering wheel hub is in the forward quarter of the vehicle length (49 CFR 571.3) -- includes mid-engine and rear-engine ("pusher") buses.

~~"IVE" means the State statutes set forth in Chapter 95-1/2, Illinois Revised Statutes, and known as "The Illinois Vehicle Code" (Ill. Rev. Stat. 1981, ch. 95-1/2, Sec. 1-100 et seq):~~

"Gross Vehicle Weight Rating or (GVWR)" means the value specified by the manufacturer as the loaded weight of the school bus. (Section 12-800 of the Code)

"Incomplete Vehicle" means an assemblage consisting, at a minimum, of frame and chassis structure, power train, steering system, suspension system, and braking system, to the extent that those systems are to be part of the completed vehicle, that requires further manufacturing operations (other than the addition of readily attachable components such as mirrors or tire and rim assemblies or minor finishing operations, such as painting) to become a completed school bus for use

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in Illinois. (Based on 49 CFR 568.3.)

"Integral Type" bus means a completed vehicle either without separate body and chassis or with body and chassis joined into one unit.

"m", following a numeral, means either "meter" or "meters".

"mm", following a numeral, means either "millimeter" or "millimeters".

"Manufacturer" (unless otherwise indicated at the point of use) means the person or organization whose name follows "MANUFACTURED BY" or "MFD BY" on the label required in Section 442.130(b).

"Multiple Glazed Unit" means two or more sheets of safety glazing material separated by air space(s) and assembled in a common mounting (ANSI Z26.1-1996).

~~"New-School-Bus" means a school bus that is not a used motor vehicle: (IVE Sec. 1-216)~~

"Passenger" means every bus occupant who is not the driver.

"SAE" means the Society of Automotive Engineers (400 Commonwealth Drive, Warrendale, Pennsylvania 15096).

"School Bus" means: ~~(IVE Sec. 1-102)~~

Every motor vehicle, except as provided in this definition, owned or operated by or for any of the following entities for the transportation of persons regularly enrolled as students in grade 12 or below in connection with any activity of such entity:

Any public or private primary or secondary school;

Any primary or secondary school operated by a religious institution; or

Any public, private or religious nursery school.

This definition shall not include the following:

A bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when such bus is not traveling a specific school bus route but is:

On a regularly scheduled route for the transportation of other fare paying passengers;



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Furnishing charter service for the transportation of groups on field trips or other special trips or in connection with other special events; or

Being used for shuttle service between attendance centers or other educational facilities.

A motor vehicle of the first division.

A motor vehicle designed for the transportation of not less than 7 nor more than 16 persons that is operated by or for a public or private primary or secondary school, including any primary or secondary school operated by a religious institution, for the purpose of transporting not more than 15 students to and from interscholastic athletic or other interscholastic or school sponsored activities. (Section 1-182 of the Code)

"--- every--motor--vehicle--except--as--provided--in--paragraph--(b),--" (paragraph--(f))--below,--owned--or--operated--by--or--for--any--of--the following--entities--for--the--transportation--of--persons--regularly enrolled--in--any--such--entity--as--students--in--grade--12--or--below--in connection--with--any--activity--of--the--entity;--a--school--operated--by--a religious--institution--or--a--public--or--private--nursery;--primary--or secondary--school;--"

"This definition does not include the following:

a--bus--operated--by--a--public--utility;--municipal--corporation--or--common carrier--authorized--to--conduct--local--or--interurban--transportation--of passengers--when--the--bus--is--on--a--regularly--scheduled--route--for--the transportation--of--other--fare--paying--passengers--or--furnishing--charter service--for--the--transportation--of--groups--on--field--trips--or--other special--trips--or--in--connection--with--special--events--or--for--shuttle service--between--attendance--centers--or--other--educational--facility--and not--over--a--regular--or--customary--school--bus--route;--a--motor--vehicle designed--for--carrying--not--more--than--9--passengers--which--is--not registered--as--a--school--bus--under--Section--3-808;--a--religious organization--bus--as--defined--in--Section--1-171-01;--"

"SI" means "Système International d'Unités" (International System of Units); officially abbreviated SI in all languages; the "modernized metric system" defined in ANSI IEEE-ASTM-SI-10-1997.

"State--Definitions";--in--the--State--requirements--and--standards--terms are--used--as--defined--above;--except--where--such--definition--is--displaced either--by--a--statutory--meaning--defined--in--Chapter--1--for--other--pertinent portion)--of--the--Illinois--Vehicle--Code--or--by--a--meaning--defined--in--this

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**Section:**

The symbol " following a numeral means either "inch" or "inches".

"Type I School Bus" means a school bus with a gross vehicle weight rating of more than 10,000 pounds. (Section 12-800 of the Code) "a school bus with provision for 13 inches of seating space for each of 17 or more passengers exclusive of the driver". (IVC7-Sec7-12-800)

"Type I-A School Bus" means a term commonly used by school bus manufacturers to classify a certain type of school bus that is a conversion or body constructed upon a van-type or cutaway front-section vehicle with a left side driver's door, designed for carrying more than 10 persons. The Type I-A school bus has a Gross Vehicle Weight Rating (GVWR) of more than 10,000 pounds.

"Type II School Bus" means a school bus with a gross vehicle weight rating of 10,000 pounds or less. (Section 12-800 of the Code) "A school bus with provision for 13 inches of seating space for each of 16 or fewer passengers exclusive of the driver". (IVC7-Sec7-12-800)

"Used--Motor--Vehicle" means "Every motor vehicle which has been sold, bargained, exchanged, given away, or title transferred from the person who first acquired it from the manufacturer or importer, or dealer, or agent of the manufacturer or importer and so used as to have become what is commonly known as a second-hand within the ordinary meaning thereof;--Provided,--that--a--new--motor--vehicle--shall--not--be--considered as--a--used--motor--vehicle--until--it--has--been--placed--in--a--bona--fide consumer--use;--notwithstanding--the--number--of--transfers--of--such--motor vehicle;--The term "bona-fide consumer use" means actual operation--by an--owner--who--acquired--the--vehicle--for--use--in--business--or--for--pleasure purposes--and--who--has--been--granted--a--Certificate--of--Title--on--such--motor vehicle--and--has--registered--such--motor--vehicle;--all--in--accordance--with the laws of the residence of the owner". (IVC7-Sec7-1-216)

"Van--Type--Conversion" means--a--vehicle--produced--by--a--chassis manufacturer,--such--as--a--sports--van--or--delivery--vehicle--which--is converted--into--a--school--bus--by--a--second--manufacturer.

the symbol--a--following--a--numeral--means--either--"inch"--or--"inches".

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.130 Incorporation by Reference and Certification Federal Requirements**

a) Each school bus must conform to the applicable provisions of the



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Federal Motor Vehicle Safety Standards (FMVSS) (49 CFR 571.100 through 571.304302). Those applicable provisions of the FMVSS are incorporated by reference as that subpart Subpart of the FMVSS that was in effect on October 1, 2000 1992, as amended at 57-PR-494137-November-27-1992, as amended at 57-PR-570007-December-27-1992, as amended at 57-PR-570207-December-27-1992, and as amended at 59-PR-229977-May-47-1994. No later amendments to or editions of 49 CFR 571.100 through 571.304302 are incorporated.

b) Federal Standards Certification: The manufacturer, and all incomplete vehicle and intermediate manufacturers, shall comply with the applicable provisions of Part 567 "Certification", and Part 568 "Vehicles Manufactured in Two or More Stages", in 49 CFR 567 and 568, including the permanent affixing of a label in conformance with the above mentioned FMVSS Federal regulations. This label constitutes the manufacturer's certification to all persons and organizations that the bus conforms to all applicable provisions of the FMVSS. Federal Motor Vehicle Safety Standards. ---(49-CFR-571)

c) State Standards: The manufacturer must comply with all provisions of this Part in effect on the first day of the month/year that the vehicle was manufactured Availability and Summary:---Availability and summary descriptions of the Federal certification regulations and applicable FMVSS are in Appendix-B.

d) Each school bus must conform to the applicable standards of the Society of Automotive Engineers Handbook (SAE) (Volume 2 Sections 15-26). Those applicable provisions of the SAE standards are incorporated by reference as of the 1998 edition date. No later amendments to or editions of the SAE standards are incorporated.

e) Copies of the above materials incorporated by reference are available for inspection at the Department's Commercial Vehicle Safety Section, 3215 Executive Park Drive, Springfield, Illinois 62703.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART B: CONSTRUCTION OF BODY

## Section 442.205 Aisle

a) Minimum clearance of all aisles, including the aisle (or passageway) leading to an emergency door in the rear, shall be 12 inches.

b) A dedicated aisle which conforms to 49 CFR 571.217 as amended at 57-PR-494137-November-27-1993 and as amended at 57-PR-570207-December-27-1992 and as amended at 59-PR-229977-May-47-1994 may be adjacent to any side emergency door.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 442.210 Body Structure and Mounting

a) Roll-over-and-Roof-Strength: See applicable provisions of the FMVSS for requirements (49 CFR 571.100 through 571.304).

b) Insulating material shall be placed at all mounting points between the body and chassis frame. This material shall be at least 5 mm (.2") thick, may have the quality of the sidewall of an automobile tire, and shall be so secured that it will not move, vibrate, or "crawl" out of place during normal operations. Inside-Height:---Interior-height shall be a minimum of 60 inches, measured from the floor to ceiling at any point on the longitudinal center line from the front vertical bow to the rear vertical bow.

c) The body front shall be attached and sealed to the chassis cowl so as to prevent the entry of water, dust, or fumes through the joint between the chassis cowl and the body. Longitudinal-Strainer:---There shall be one longitudinal side-strainer (or impact rail) mounted at shoulder level (window sill level) and extending at least from the front main vertical post (excluding the front door entrance) to the rear corner reinforcement. This member shall be attached at each vertical structural member. Such strainer shall be formed (not a flat strip) of metal.

1) There shall be one longitudinal side-strainer installed in the area between the bottom of the window and the bottom of the seat frame extending from the front main vertical post to the rear corner reinforcement. This strainer may also be used as a means to fasten the angle used for the wall end seat support. Such strainer is to be formed and attached to each vertical structural member.

2) A backup channel for the exterior sub-rail is to be provided and fastened to each vertical structural member.

d) Rear-Corner-Reinforcements:---Rear-corner-framing of the bus body between the floor and the roof and between the emergency door posts and the body corner shall be applied horizontally or vertically, or in other combinations, to provide additional impact and penetration resistance equal to that provided by frame members in areas of sides of body. Such structural members shall be securely attached to each end:

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.213 Bumper, Rear

a) The entire rear bumper must be of metal construction unless an energy absorbing bumper is used.

b) The rear bumper must meet chassis or body manufacturer's standards.

c) The rear bumper shall be shielded between the body and the bumper to prevent hitching or "riding on."



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AGENCY NOTE: See Section 442.420 for front bumper requirements.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.214 Capacity, Passenger**

a) The vehicle maximum passenger capacity recommended by the manufacturer of the bus shall be based upon a provision for 13 inches of seating space for each passenger, exclusive of the driver. (Section 12-802 of the Code) Examples: A seat 990 mm (39") in width provides 3 passenger spaces; a seat 985 mm (38.8") in width provides 2 passenger spaces; a device resembling a seat but less than 330 mm (13") in width would not provide a passenger space.

b) Neither a space not conforming to the FMVSS 222 nor the driver's space shall be counted as a passenger space. However, any space used for transporting an orthopedically challenged passenger shall be counted as a passenger space when computing passenger capacity to be displayed on the exterior of the bus as required in Section 442.250(g). (See 92 Ill. Adm. Code 444, Minimum Safety Standards for Construction of School Buses used in Special Education Transportation.)

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.215 Ceiling and Side Walls Sidewalls**

a) The ceiling and side walls sidewalls shall be thermally insulated with a fire-resistant material approved by the Underwriter's Laboratories, Inc., which shall also adequately reduce the noise level and vibrations.

b) The interior of the bus shall be free of all unnecessary projections likely to cause injury. Additional projections (e.g., external speakers, air conditioners) located within 59 inches from the floor shall be padded to prevent injury. This includes inner lining of ceiling and walls. Installation of book racks is not permissible. Interior paneling is required on the ceiling and walls. Remaining projections shall be padded to prevent injury. This standard requires interior paneling on the ceiling and walls. Paneling shall be of steel or other suitable material of equivalent strength and durability, applied in such a manner as to present a clean, smooth and safe interior. Exposed edges of lapped joints shall be beaded, flanged or otherwise treated and connected to reduce the likelihood of injury from exposed edges.

c) Interior height shall be a minimum of 60 inches, measured from the floor to ceiling at any point on the longitudinal center line from the front vertical bow to the rear vertical bow.

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(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.218 Crossing Control Arm**

a) Must meet or exceed SAE J1133.

b) Must be capable of full operation between, and including, the temperatures -40 degrees F and 160 degrees F.

c) The arm, when activated, must extend a minimum of five feet from the front face of the bumper.

d) The arm must be mounted on the far right side (entry side) of the front bumper.

e) Appropriate brackets shall be used to attach the arm to the front bumper for proper operation and storage.

f) All component parts must meet or exceed any applicable FMVSS in effect at the time of manufacture.

g) The arm must extend at the same time the stop arm panel extends. An independent "on/off" switch is prohibited.

h) If the driver can stop the arm from extending with the use of an optional override switch, the arm sequence must automatically reset once the service door is closed.

i) Red lights and/or red reflectors are prohibited.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.220 Defrosters**

Defrosting equipment shall be installed so as to help keep the window to the left of the driver and the glass in the service door clear of fog or frost.

This defrosting equipment shall conform to those FMVSS 103 (49 CFR 571.103) performance requirements that are applicable to school bus windshields. Defrosting equipment, in conjunction with windshield wipers, shall keep the windshield, the window to the left of the operator and the glass in the service door clear of fog, frost or snow, using heat from the engine coolant and/or from the heaters plus circulation from fans or blower(s).

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.225 Doors (Repealed)**

Each door on the right side of the vehicle, hinged or sliding, except the service door, shall be made permanently inoperable by means other than the rail on the outside of the body.

(Source: Repealed at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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## Section 442.230 Emergency Exits and Door Alarms (See FMVSS)

- a) Each emergency exit shall be equipped with an interior opening device which may be quickly released but which is designed to offer protection against accidental release. Each exterior release handle must be nonhitchable.

AGENCY NOTE: "Nonhitchable" is defined as the rear of the bus being designed and maintained to prevent or discourage riding or grasping the rear of the bus so as to "hitch" rides.

- b) All emergency exits shall conform to the applicable requirements of the FMVSS 217 (49 CFR 571.217).

1) Each opening for a required emergency exit must be outlined around its exterior perimeter with, at a minimum, 1 inch (2.54 cm) wide yellow retroreflective tape. This yellow retroreflective tape must be on the exterior surface of the bus and conform to all requirements of 49 CFR 571.217.

- 2) Both audible and visible alarms shall alert the driver when the engine is running and any emergency exit door either:

A) Is not fully latched, or

B) Is locked and not readily operated manually.

- 3) An audible alarm shall alert the driver when the engine is running and any emergency exit window either:

A) Is not fully latched, or

B) Is locked and not readily operated manually.

- 4) The engine starting system shall not operate while any emergency exit door or window (optional or required) is locked from either inside or outside the bus. "Locked" means that the release mechanism cannot be activated and the exit cannot be opened by a person at the exit without a special device such as a key or special information such as a combination.

- 5) An alarm cut-off "squench" control is prohibited.

- 6) Exception: No alarm is required for roof hatches.

- b) The emergency door shall be equipped with an electrical switch connected to an audible signal automatically operated and either located in the driver's compartment or audible to the seated driver when all passenger seats are filled with noisy pupils. The audible signal shall indicate the unlatching of this door. No cutoff switch or "squench" control shall be installed in the circuit. The switch shall be enclosed to prevent tampering. Wires leading from the switch shall be concealed in the body.

- c) The installation of a lock on the emergency or service door shall include an audiovisual alarm without cutoff switch or "squench" control in its circuit to indicate to the seated driver when the door is in the locked position while the ignition switch is in the "on" position; however, the audiovisual alarm for the service door is optional when:

- i) The locking system is not capable of preventing the seated bus driver from easily and quickly opening the service door; or

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- 2) The locking system is not capable of preventing the seated bus driver from easily and quickly opening the service door except when (and only when) a person outside the bus uses a key that is not capable of locking more than one of at least 1000 of the door manufacturer's key locking systems.

- d) On a van conversion any rear cargo door inside lock(s) of the type installed by the chassis manufacturer (such as commonly used in cars -- "push" or "pull" type) shall be made inoperable -- in doing so -- assure that the mechanism cannot through jarring vibration etc. cause the door to become locked and be inoperable from the inside or outside.

- e) A black arrow, curved or straight, at least 5.9" in length and 0.6" in width, showing the direction each outside emergency exit release mechanism is to be moved to open the emergency exit, shall be painted or permanently affixed on the outside yellow portion of the bus within 5.9" of each release mechanism. This does not apply to a "push" or "pull" mechanism where the direction of movement to open cannot be shown by one arrow.

- f) An arrow showing the direction each inside emergency exit release mechanism is to be moved to open the emergency exit shall be painted or permanently affixed inside the bus within 5.9" of each emergency exit release mechanism. Each inside arrow shall contrast with its background and where suitable space is limited, may be smaller than the outside arrow(s) but must be conspicuous. This does not apply to a "push" or "pull" mechanism where the direction of movement to open cannot be shown by one arrow.

- g) In the case of a "push" or "pull" type of release mechanism where the direction of movement to open the emergency exit cannot be shown by one arrow, either three or four straight arrows shall be placed as equally spaced as practicable around the object to be pushed or pulled with the head of each arrow adjacent to and pointing directly at that object. Each arrow shall be the same color and insofar as practicable the same size as though it were a single arrow required under subsection (e) or (f). In addition, the pertinent word "PUSH" or "PULL" shall be displayed near that object.

- h) For buses manufactured on or after May 27, 1994, each opening for a required emergency exit must be outlined around its outside perimeter with a minimum 1 inch (2.54 cm) wide yellow retroreflective tape. This yellow retroreflective tape must be on the exterior surface of the bus and conform to all requirements of 49 CFR 571.217 (as amended at 57 PR 494137, November 27, 1992, and as amended at 57 PR 570207 December 27, 1992).

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.235 Floor Covering

- a) Plywood or equivalent material may be applied over the existing steel



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forward of rear-most location of driver's seat back  
All Other locations  
AS 1 Glass,  
AS 2 Glass or  
AS 3 Glass  
or AS 2 Glass

- c) In addition, any exposed plastic layer of a multiple glazed unit shall be identified in conformance with the FMVSS 205 (49 CFR 571.205).
- d) All glazing shall be installed so the identification markings are legible.

AGENCY NOTE: See Section 442.310, Window Openings, for window operation requirements.

See-FMVSS:

Glazing-in-rear-door(s)-shall-be-of-fixed-type-

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.245 Heater

- a) An inside temperature of not less than 50 degrees Fahrenheit at average minimum January temperature as established by the U.S. Department of Commerce, National Weather Service Office, for the area in which the vehicle is to be operated shall be maintained throughout the bus.
- b) The primary heater shall be a high output, fresh air type.
- c) The secondary heater may be recirculating type, and located so as not to interfere with aisle space. Each secondary heater shall display a nameplate that identifies the manufacturer and the heater capacity rating.
- d) The heater hoses shall be adequately supported to guard against excessive wear due to vibration and shall not interfere with or restrict the operation of any engine function. Any hose in the passenger compartment shall be adequately protected to prevent injury from burns in the event of rupture.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.250 Identification/Lettering

- a) Except where otherwise required or allowed, lettering on the exterior of the body shall be black against a national school bus glossy yellow background. All required letters and numerals shall conform to Series "B", or heavier series, of the Standard Alphabets for Highway Signs

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floor and securely fastened -- shall be applied if specified by the purchaser. If applied, plywood shall be 5/8" exterior BB grade, unless otherwise specified by the purchaser.

- b) All portions of the floor that come in contact with passengers' or driver's footwear shall be covered with a waterproof material. This floor covering shall not crack when subjected to sudden temperature change and shall be bonded securely to the floor with a waterproof substance. All seams and openings shall be filled with a waterproof sealer.
- c) The floor covering in the aisles and entrance area shall be of non-skid, wear-resistance type material commonly used in commercial passenger transportation vehicles.
- b) The--floor--in-the-underseat-area-shall-be-covered-with-fire-resistant material-that-conforms-to-Federal-Standard-22M71B-and-FMVSS--in-case of-conflict-FMVSS-shall-prevail;
- c) Floor---covering---in---the---aisles---and---entrance---area---shall-be---of fire-resistant, non-skid, wear-resistant and rib-type commonly used in commercial passenger type vehicles.
- d) Floor--covering--shall--be--permanently--bonded--to--the--floor--with waterproof--adhesive--material--All--seams--shall--be--sealed--with waterproof-sealer--The-covering-must--not--crack--when--subjected--to sudden-temperature-changes-

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.240 Glazing Materials

- a) All glazing in the rear of a school bus, including the door, shall be the fixed type.
- b) Laminated safety glass is optional. All applicable provisions of the FMVSS 205 (49 CFR 205) apply to the optional laminated safety glass and also to any plastic materials used in multiple-glazed unit, including meeting the pertinent tests indicated below, that are specified in ANSI Standard Z26.1-1996 or Z26.1a-1996 or and are grouped in Table No. 1 of that Standard. Glazing shall be identified as shown below.

Shall meet tests of the following group in Z26.1 Table No. 1 under: Shall bear one of the following identification markings:

Windshield  
Item 1, either laminated glass or multiple glazed unit

AS 1 Glass

Window or door

AS 1 Glass



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issued by the Federal Highway Administration, Washington, D.C. 20591. Decals may be used instead of paint. Signs, numbers, or letterings, other than those either required by statutes or required or permitted by these standards shall not be affixed permanently on either the exterior of the bus or the interior glazing so as to be visible to the outside. Interior lettering shall contrast with its background.

b) The words "SCHOOL BUS" shall be displayed against a national school bus glossy yellow background as high as practical and approximately centered on the front and rear of the bus body, in letters at least 200 mm (8") high. These words may be painted on or applied to the bus body or displayed on a sign firmly attached to or built into the body. The background of an illuminated sign shall approximate the national school bus glossy yellow color as closely as feasible.

c) A school bus identification number, supplied by the purchaser, shall be displayed as high as practical on the front and rear of the bus in numerals not less than 100 mm (4") high. Such number may be displayed on the sides of the bus as specified by the purchaser.

d) Either the owner's name or the school district number or both must be displayed on both sides of the bus at least four inches high, approximately centered and as high as practicable below the window line. (Section 12-802 of the Code) The lettering must be locate on one line.

e) The body and/or chassis manufacturer's name, emblem, or other identification may be displayed, colorless or in any color, on any unglazed surface of the bus so as not to be mistaken for the name required in subsection (d) of this Section, and so as not to interfere with any required letters or numerals.

f) The words "EMPTY WEIGHT", or the abbreviation "EMPTY WT.", or the letters "E.W.", followed by the empty weight of the bus (see Section 442.120), stated in pounds, shall be displayed on the exterior of the body near the rear edge of the service entrance in numerals and letters at least 50 mm (2") high.

Examples:    EMPTY WEIGHT    16,800 lb    E.W. 16,800 lb

g) The word "CAPACITY", or the abbreviation "CAP.", and the rated passenger capacity, as described in Section 442.214, followed by the word "PASSENGERS", or the abbreviation "PASS.", shall be displayed on the exterior of the body near the rear edge of the service entranceway, and on the interior above the right portion of the windshield, in numerals and letters at least 50 mm (2") high.

h) The words "NO STANDEES" shall be displayed only on the interior above the windshield, approximately opposite the aisle but to the right of the mirror and sun visor, in letters at least 50 mm (2") high.

i) The words "EMERGENCY DOOR" or "EMERGENCY EXIT" in letters at least 5 cm high must be displayed on the interior and exterior of the bus. "EMERGENCY DOOR" must be displayed at the top of, or directly above, any emergency exit door. "EMERGENCY EXIT" must be displayed at the

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top of, or directly above, or at the bottom of, any emergency exit window. They may be displayed on a separate colorless background (such as white, aluminum, or silver) that extends no more than 15 mm (.6") above or below the words and no more than 25 mm (1") to the right or left of the words.

j) A black arrow, curved or straight, at least 150 mm (5.9") in length and 15 mm (.6") in width, showing the direction each exterior emergency exit release mechanism is to be moved to open the emergency exit, shall be painted or permanently affixed on the exterior yellow portion of the bus within 150 mm (5.9") of each release mechanism.

k) An arrow showing the direction each interior emergency exit release mechanism is to be moved to open the emergency exit shall be painted or permanently affixed on the interior of the bus within 150 mm (5.9") of each emergency exit release mechanism. Each interior arrow shall contrast with its background and, where suitable space is limited, may be smaller than the exterior arrow(s) but must be conspicuous.

## Alternate Fuel

l) If the bus uses alternate fuel (e.g., propane, CNG), the vehicle must be marked with an identifying decal. Such decal shall be diamond shaped with white or silver scotchlite letters one inch in height and a stroke of the brush at least 1/4 inch wide on a black background with a white or silver scotchlite border bearing either the words or letters:

"PROPANE" = If propelled by liquefied petroleum gas other than liquefied natural gas; or

"CNG" = If propelled by compressed natural gas. The sign or decal shall be maintained in good legible condition.

2) The alternate fuel decal shall be displayed near the rear bumper and visible from the rear of the vehicle. (Section 12-704.3 of the Code)

m) The vehicle's length (rounded up to nearest whole foot) must be displayed on or adjacent to the interior bulkhead clearly within the driver's view. (For example: vehicle length of 39.1 feet will be displayed as 40 feet.) Each letter or numeral must be at least two inches high and black in color. The measurement must be taken from the front bumper to the rear bumper.

n) A "Stop Line" in contrasting color is required between 5.9 and 6.1 inches below the top of each side window opening. The line shall be located between each window that slides downward.

a) The exterior of the body, excluding the radiator, shall be painted a uniform color of National School Bus Chrome (Federal Standard No. 595A7 Chrome--Yellow--Enamel--No. 13432) or Grills--may--be a bright finish (chrome--white--anodized-aluminum--etc.)

b) The front and/or rear bumper may be black (Federal Standard No. 595A7 Black--Enamel--No. 17030) and may carry reflective or retro-reflective



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fastening, cut edge, punched or drilled hole, surface subjected to abrasion, closed or box section, and any unvented or undrained area or space. The number of unvented or undrained areas or spaces is to be minimized. Excluded are door handles, grab handles, and interior decorative parts.

- b) As evidence that above requirements have been met, a sample of fastener, material, or section of body, coated or finished as installed in the bus, when subjected to a 1,000-hour salt spray test in accordance with American Society for Testing and Materials (ASTM) Standard B-117-1997 "Method of Salt Spray (Fog) Testing" shall not exhibit more than 10 percent reduction in weight after all adherent corrosion products are removed.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.255 Mirrors

- a) Interior Inside Mirror:-- A mirror shall be located inside the bus. It shall be firmly supported, constructed of ~~shall-be~~ clear view safety glass and ~~shall-be~~ securely backed and framed. It shall have rounded corners. Edges shall be padded to reduce danger of injury upon impact. The mirror shall afford the operator a good view of the bus interior and portions of the roadway to the rear.

- b) All exterior mirror systems shall conform to the applicable requirements of the FMVSS 111 (49 CFR 571.111).

- c) More convex mirrors than required above may be installed, if specified by the purchaser.

- d) The reflecting surface on the back of each mirror shall be protected from abrasion, scratching, and atmospheric corrosion.

- b) Cross-View-Mirror:--See-FMVSS:--If-any-seated-driver-of-a-forward control-bus-does-not-have-a-view-of-the-front-bumper-and-the-roadway in-front-of-the-bus,a-convex-mirror-conforming-to-FMVSS-shall-be installed-so-as-to-allow-such-seated-driver-either-a-reflected-view of-the-front-bumper-and-the-roadway-in-front-of-the-bus-or-the following-view:

- 1) When-a-rod-30-inches-long-is-placed-upright-on-the-ground-at-any point-along-a-traverse-line-one-foot-forward-of-the-forward-most point-of-a-school-bus-and-extending-the-width-of-the-bus-at least-7-1/2" of-the-rod-shall-be-visible-to-the-driver,either-by direct-view-or-by-means-of-an-indirect-visibility-system.

- 2) Note:--FMVSS-111-requires-a-crossview-mirror-on-"conventional" school-buses-but-not-on-forward-control-buses.

- c) Outside-Rearview-Driving-Mirrors:--Except-as-allowed below,the-outside-rearview-driving-mirror-mounts-shall-include-a-side angle-adjustable-convex-mirror-to-provide-an-additional-close-in-field of-view.

- d) Optional-Mirrors:--Unless-otherwise-specified-by-the-purchaser,the

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- e) Rub-rails-shall-be-black-(Federal-Standard-No.-595A7-Black-Enamel--No-17038).

- d) Wheel-color-shall-be-as-specified-by-the-purchaser.--Wheels-may-be painted-black-(Federal-Standard-No.-595A7-Black-Enamel--No-17038)--or other-color--or-plated-or-otherwise-coated-to-protect-from-corrosion but-shall-NOT-be-bare-unless-made-of-a-corrosion-resistant-material suitable-for-wheels.

- e) Hub-caps-may-be-bright-corrosion-resistant-metal-or-a-bright-color such-as-chrome,aluminum,white,etc.

- f) All-required-lettering-other-than-"STOP"-on-the-stop-signal-arm7 shall-be-black-(Federal-Standard-No.-595A7-Black-Enamel--No-17038)-on-a-National-School-Bus-Chrome-Yellow-background-or-on-an-illuminated background-that-approximates-this-color-as-closely-as-feasible--A sign-or-lettering-other-than-required-or-permitted-by--this regulation-shall-not-appear-on-the-front-back7-or-side-of-the-bus7 the-rated-SEATING-CAPACITY-and-vehicle-EMPTY-WEIGHT-must-be-displayed on-the-body-to-the-rear-of-the-service-door-in-letters-not-less-than two-inches-high:--The-OWNER'S-NAME-and/or-the-SE0005-AUTH0RITY-must-be displayed-on-the-right-and-left-sides-of-the-body7-centered-as-high-as practicable-below-the-window-line-in-letters-not-less-than-four-inches high:--The-words--"SCH005-BUS"-shall-be-displayed-as-high--as practicable--on-the-front-and-rear-of-the-bus7-or-on-signs-attached-to the-front-and-rear-of-the-bus7-in-letters-eight-inches-high:--A-NUMBER assigned-to-the-bus-for-identification-purposes-shall-be-displayed-as high--as-practicable-but-below-the-words--"SCH005-BUS"-and-centered-as nearly-as-possible-in-numerals-not-less-than-four-inches-high:--Such number-may-be-displayed-on-the-side(s)-of-bus-as-specified-by-the purchaser:--Where-possible7-required-letters-and-numerals-shall conform-to-Series-"B",or-heavier-series-of-the-Standard-Alphabets for-Highway-Signs-issued-by-the-Federal-Highway-Administration7 Washington7D.C.7-20591:--Decals-may-be-used-instead-of-paint:--The body--and/or--chassis--manufacturer's-name7--emblem--or--other identification-may-be-displayed7-colorless-or-in-any-color7-on-any unglazed-surface-of-the-bus-so-as-not-to-be-mistaken-for-the-required owner-or-school-authority-name-and-so-as-not-to-interfere-with-any required-letter(s)-or-numeral(s).

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.253 Metal Treatment

- a) Unless excluded by this subsection, all steel or iron used in construction of the bus body and attached equipment shall be either resistant to atmospheric corrosion, or zinc coated, or treated by equivalent process. Particular attention shall be given to each fastener or attaching device, lapped surface, welded connection or



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following--may--be--installed--on--the--right--or--left--or--both--sides--of--the--bus--in--lieu--of--or--in--addition--to--the--corresponding--convex--mirrors--required--under--Section--442-255(c):

1) An outside convex mirror may be installed on the right side that either alone or in combination with the flat driving mirror will afford any seated driver a reflected view of the roadway along the right side of the bus from at least the rear most surface of the rear bumper to at least the forward most surface of the right front tire. The projected reflecting area of this convex mirror shall be no less than 40 square inches.

2) An outside convex mirror may be installed on the left side that either alone or in combination with the flat driving mirror will afford any seated driver a reflected view of the roadway along the left side of the bus from at least the rear most surface of the rear bumper to at least the rear edge of the driver's seat in its most forward position. The projected reflecting area of this convex mirror shall be no less than 30 square inches.

3) Note: These optional mirrors are intended to assist a seated driver in a stationary bus to ascertain that no pupil or other pedestrian is in danger of being run over when the bus is put into motion. They are also useful while the bus is moving.

e) Additional mirrors or other effective aids to driving vision may be installed if specified by the purchaser.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.258 Paint/Color Requirements**

a) The exterior of each school bus shall be national school bus glossy yellow except as indicated in subsections (b) through (i) of this Section:

b) The rooftop may be white. A white roof may extend only to six inches above the drip rails on the sides of the body. The front and rear roof caps shall remain national school bus glossy yellow.

c) Body trim, rub rails, and lettering other than on a stop signal arm shall be glossy black. Bumpers may be glossy black or a bright, light or colorless finish.

d) Lettering on a stop signal arm shall be white on a red background.

e) The hood and upper cowl may be lusterless black or lusterless school bus yellow.

f) Grilles on the front, lamp trim and hubcaps may be a bright finish. Wheels and rims may be black, gray, or manufacturer's colors.

g) The name or emblem of a manufacturer may be colorless or any color.

h) The exterior paint of any school bus shall match the central value, hue and chroma set forth in this Part. (Section 12-801 of the Code)

i) Each opening for a required emergency exit must be outlined around its outside perimeter with a minimum 1 inch (2.54 cm) wide yellow

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retroreflective tape. This yellow retroreflective tape must be on the exterior surface of the bus and conform to all requirements of 49 CFR 571.217. Yellow retroreflective tape can be located on the rear bumper provided the space between the top of the bumper and the bottom of the door is not adequate to accommodate the tape.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.259 Rack, Book/Luggage**

Book/luggage racks are not allowed.

(Source: Added at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.265 Seat Belts, Driver's and Passengers'**

a) See the FMVSS for requirements (49 CFR 571.209 and 210).

b) The driver's seat belt assembly shall be arranged so that all portions of the assembly remain above the floor when not in use.

c) If Any retractor(s) are installed, they shall be of the automatic locking type.

d) The driver's seat must be equipped with a lap belt/shoulder harness design.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.270 Seating**

See also Section 442-Appendix-B-(Federal-Motor-Vehicle-Safety-Standards-(FMVSS)-and-Related-Rules):

a) No bus shall be equipped with "jump" or portable seats (this does not include child restraint systems).

b) The driver's seat shall be rigidly positioned and have a fore-and-aft adjustment without the use of tools or other nonattached devices.

c) A flip-up seat for passengers may be located only immediately adjacent to any side emergency door. The flip-up seat must conform to the following:

1) The seat must be designed so that, when in the folded position, the seat cushion is flat against the seat back to prevent a child's limb from becoming lodged between the seat cushion and seat back.

2) The seat must be designed to discourage a child from standing on the seat cushion when in the folded position.

3) The working mechanism under the seat must be covered to eliminate any tripping hazard.



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- 4) All sharp metal edges on the seat must be padded to prevent any snagging hazard.
- 5) ~~No portion of a seat frame or seat bottom may extend past door opening.~~
- 56) No portion of the door latch mechanism can be obstructed by a seat.
- 67) There must be at least 11.7 inches (30 cm) measured from the door opening to the seat back in front.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.275 Service Entrance and Door**

- a) The service entrance shall be located on the right side near the front, in unobstructed and convenient view of the driver. The service entrance shall have a minimum vertical opening of 1.7 m (67") and a minimum horizontal opening of 610 mm (24").
- a) ~~The service door shall be located to the right of driver. It shall be controlled from the driver's seat by an overcenter control or other device that gives the driver primary control over opening and closing of the service door. The control attaching areas shall be reinforced so as not to distort attaching points.~~
- b) The service entrance steps shall be designed so that the first step shall not be more than 13 1/2" off the ground. If necessary, a step of adequate width and length shall be installed to meet this requirement. Provision shall be made to prevent road splash from the wheel from accumulating on the step if installed outside the body.
- c) The service door shall be either manually or power operated by the seated driver. When in the closed and secured position, the door operating mechanism shall prevent accidental opening but shall afford prompt release and opening by the driver. No exposed parts of a door operating mechanism shall come together so as to shear or crush finger(s). The vertical closing edge(s) of a service door shall be padded to lessen chance of injury.
- c) ~~The surface of all entrance steps shall have a nonskid material applied. Purchasers are urged to specify a 1 1/2" to 3" white nosing as an integral part of this material on each step and on the floor at the top riser.~~
- d) A power operated door shall be equipped for emergency manual operation in case of power failure. Instructions for emergency operation of a power operated door shall be affixed permanently on the interior of the door in letters at least 12 mm (.5") high.
- e) A single-section service door shall be hinged at the front of the service entrance.
- f) Glazed panels shall be installed in the service door to afford the driver a view of small children outside the door, traffic signs, and intersecting roadways. The bottom of each lower glass panel shall not

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be more than 10 inches from the top surface of the bottom step. The top of each upper glass panel shall not be more than 3 inches from the top of the door.

- g) Service Door Lock (Optional). If ordered by the purchaser, a lock may be installed on or at the service door. Any type service door locking system installed in the bus shall conform to at least one of the following requirements.

- 1) Requirement 1: A locking system shall not be capable of preventing the driver from easily and quickly opening the service door; or
  - 2) Requirement 2: A locking system that is capable of preventing the driver from easily and quickly opening the service door shall include an audible and visible alarm to alert the driver when the engine is running and the service door is locked. No alarm disconnect, "squench control", or other alarm defeating or attenuating device shall be installed; or
  - 3) Requirement 3: A locking system shall not be capable of preventing the driver from easily and quickly opening the service door except when, and only when, a person outside the bus uses a key that is not capable of locking more than one of at least 1000 of the door manufacturer's key locking systems.
- hd) A grab handle of steel, as long as practicable, shall be solidly attached to the left of any person entering the school bus. Forward handrails are prohibited, except when required by 92 Ill. Adm. Code 442 (Minimum Safety Standards for the Construction of Special Education School Buses) ~~on the rear side of the entrance way.~~

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.285 Stop Signal Arm**

- a) A stop signal arm panel must be installed on the left side of the bus that conforms to 49 CFR 571.131. The panel may be operated either manually or mechanically. Decals may be used in lieu of painting. Strobe lamps are acceptable on stop signal arm panels. See Appendix E for example.
- b) "Operated...mechanically" shall be interpreted to include power operation. Also, "16-gauge metal" shall be interpreted to include thicker metal and any nonmetallic material equivalent or superior to hot rolled 16-gauge mild steel in stiffness, corrosion resistance, and durability.
- c) Additional stop signal arm panels may be added at the purchaser's request. Additional panels must be located on the left side of the bus. Additional panels must operate in conjunction with the required panel and meet all stop arm panel requirements except as follows. The additional panel must not contain any lights, marking or reflective material on the front side of the panel. The additional panel must be



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located in the rear half of the bus adjacent to the rearmost window.

a) A stop-signal-arm must be installed on the left side of the bus and may be operated either manually or mechanically. Decals may be used in lieu of painting. Strobe lamps are acceptable on stop-signal arms.

1) For any school bus manufactured on and after September 17, 1992 the arm must be an octagon-shaped semaphore which conforms to 49 CFR 571.131-10 (October 17, 1992). No later amendments to or editions of 49 CFR 571.131 are incorporated.

2) Buses manufactured prior to September 17, 1992 may either be equipped with an octagon-shaped semaphore which meets the requirements listed in subsection (a)(1) of this Section or a hexagon-shaped semaphore which meets the requirements listed in subsection (a)(3) of this Section.

3) Hexagon-shaped semaphore shall be a hexagon-shaped semaphore approximately 18 inches wide and 10 inches long and of 16-gauge metal. The signal arm shall have the word "STOP" painted on both sides in white letters at least six inches high with a brush stroke approximately 7/8 inch wide. The word "STOP" shall be painted on a panel with red background of approximately 8 inches by 16 inches. The remaining area of the stop-arm blade is to be painted white with a band of white border at least 1/2 inch wide painted front and rear on both sides as contrast. The white portion of the stop-signal arm shall be reflectorized or shall have double-faced lamps with red lens approximately four inches in diameter located in the top and bottom position of the blade. These lamps shall light and flash alternately when the stop-arm is extended and likewise turn off and stop flashing when the arm is closed.

b) "Operated" mechanically shall be interpreted to include power operation. Also "16-gauge metal" shall be interpreted to include thicker metal and any nonmetallic material equivalent or superior in stiffness, corrosion resistance, and durability to hot-rolled 16-gauge mild steel.

c) Section 442.295 depicts the hexagon-shaped semaphore referenced in subsection (a)(3). Section 442.295 depicts the octagon-shaped semaphore referenced in subsection (a)(1).

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.295 Sun Visor

a) The driver's side shall be equipped with an interior adjustable sun visor with a minimum size of 5" X 16".

ba) No sun visor shall interfere with the operator's full view of the rearview mirror(s).

b) The driver's side shall be equipped with an interior adjustable sun visor with a minimum size of 5" X 16".

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c) A sun visor on the right passenger side is optional. A right-sun-visor is optional.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.300 Undercoating

The underside of the body, including floor members and the side panels below the floor, shall be coated with a fire-resistant undercoating material applied by the spray method so as to seal, insulate, reduce corrosion, and reduce interior noise. Non-metallic components need not be coated. The entire underside of the body, front fenders, and side below the floor level shall be coated with a fire-resistant undercoating material applied by the spray method for the purpose of sealing, insulating, and reducing the oxidation and noise level.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.310 Window Openings Opening

This Section does not apply to a window or glazed panel installed forward of a front passenger seat, and is optional for a window installed either beside a rear passenger seat or a special service door or in a side emergency exit. These requirements do not apply to the driver's window, rear window(s) or a window (or glazing) installed in a door.

a) All side windows shall open from the top only and shall operate freely.

b) There shall be one vertical opening side window for each seat.

c) Each side window shall provide an unobstructed emergency egress opening at least 9 nine inches high and 22 inches wide. The opening may extend to 18 inches above the unoccupied passenger seat cushion but no closer (to the seat cushion).

d) A stop line for the window opening shall be applied six inches from the top of the window opening.

e) The side windows may be split sash.

f) All exposed edges of glass shall be banded.

g) The window latches shall be recessed.

AGENCY NOTE: See Section 442.240 for glazing material requirements.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.315 Windshield

See the FMVSS for requirements (49 CFR 571.104).

The windshield may be tinted and may have a "shade band".



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(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.320 Windshield Wipers**

See the FMVSS for requirements (49 CFR 571.104).

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.325 Windshield Washer**

See the FMVSS for requirements (49 CFR 571.104).

windshield washer shall be provided that will effectively clean the entire area covered by the standard wiper blades while the wiper system is operating.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART C: CHASSIS REQUIREMENTS

**Section 442.410 Axles**

a) Must meet federal chassis requirements as indicated on the federal certification label as required by 49 CFR 567 (Certification) and 49 CFR 568 (Vehicles Manufactured in Two or More Stages).

b) Wheel base shall not be less than 123 inches.

a) Federal load limits--Seats and storage or cargo spaces--if installed--shall be located so that when the bus is fully loaded as specified or advertised any axle load exerted on the roadway will not exceed the pertinent gross axle weight rating shown on the label permanently affixed in compliance with 49 CFR 567. See Section 442.130(b) and Appendix B.

b) Spacing--The wheel base shall not be less than 123".

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.415 Brakes**

See the FMVSS for requirements (49 CFR 571.105). Power brakes are required.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.420 Bumper Bumpers, Front and Rear**

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- a) The front bumper Both bumpers shall meet the be chassis manufacturer's standards.
- b) The entire front bumper must be of metal construction unless an energy absorbing bumper is used.
- b) Rear bumper(s) shall be shielded between the body and the bumper to prevent hitching or riding on.

AGENCY NOTE: See Section 442.213 for rear bumper requirements.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.425 Drive Shaft Guard**

Each segment of the drive shaft shall be equipped with a suitable guard to prevent accident or injury in the event of its fracture or disconnection.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.430 Engine**

Type and displacement may shall be specified by the purchaser.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 442.435 Exhaust System and Muffler**

a) The exhaust pipe, muffler, and tail pipe shall be outside the bus body and attached to the chassis.

b) The exhaust system shall be insulated from any insulated wire, flammable material, brake hose or line, or fuel system component by a securely attached metal shield at any point where the exhaust system is 11.8 inches (300 mm) or less (four inches (101.6 mm) or less if diesel powered engine) from the components listed in this subsection.

c) The tail pipe may meet the chassis manufacturer's standard configuration. However, the tail pipe shall not exit beneath any fuel filler location or beneath any emergency exit door.

d) The tail pipe shall extend out to, but not more than, 1 inch (25.4 mm) beyond the perimeter of the body or the bumper.

e) The shielding of engine compartment components shall be governed by the chassis manufacturer's standards.

f) Each gas conducting component that is not of stainless steel shall be of commercial heat and corrosion resistant exhaust system material and shall be nonflexible.

b) The exhaust system shall be insulated from the fuel tank and tank connections by a securely attached metal shield at any point where it is 12 inches or less (four inches or less if diesel powered engine)



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each is clearly visible to the seated operator. An indicator light in lieu of a pressure or temperature gauge is permissible.

- a) Speedometer
- b) Odometer
- c) Fuel Gauge
- d) Oil Pressure Gauge
- e) Water Temperature Gauge
- f) Ammeter (voltmeter) with graduated charge and discharge indications

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.470 Oil Filter

An oil filter of replaceable element type or cartridge type or disposable "throw-away" type shall be provided. The oil filter shall have an oil capacity of at least one quart.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.480 Springs and Suspension

Each spring and other component in any of the suspension systems shall be capable of supporting its share of the rated gross axle weight during normal operations.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.485 Steering Mechanism Gear

a) The steering gear shall provide safe and accurate performance at maximum load and speed and shall be easily adjusted. Only changes approved by the chassis manufacturer shall be permitted.

b) Power steering is the purchaser's option.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.490 Tires and Wheels

- a) See the FMVSS for requirements (49 CFR 571.120).
- b) Wheels and rims may be black, gray or manufacturer's colors.
- c) A spare tire is the purchaser's option. If the spare tire is carried inside it shall be securely mounted so that it in no way interferes with the passenger seating accommodations, the emergency door operations or aisle space.

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- c) ~~from the tank or tank connections~~  
~~No part of the exhaust system shall pass within 12 inches of four inches~~  
~~if diesel powered engine of any flexible brake line or hose unless~~  
~~shielded~~
- d) ~~The tail pipe shall be extended if necessary to exit the exhaust~~  
~~gases either to the right or left side behind the rear wheel well or~~  
~~at the rear bumper~~

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.440 Frame

After the date of manufacture of the incomplete vehicle, the chassis frame shall not be altered so as to extend the wheelbase. Other extension(s) of the chassis frame may be accomplished only by the incomplete vehicle, intermediate, or final-stage manufacturer or by an agent of the manufacturer properly instructed and authorized by the manufacturer to make the extensions. The chassis frame shall not be altered between the original suspension systems as to extend the wheel base.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.445 Fuel Tank

- a) See the FMVSS for requirements (49 CFR 571.301).
- b) The fuel tank shall have a minimum capacity of 24 gallons.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.455 Horn

The bus shall be equipped with at least one horn capable of emitting sound audible under normal conditions from a distance of not less than 200 feet. (Section 12-601 of the Code) The horn ~~shall be electric horns~~ shall be provided giving an audible warning at a distance of 300 feet and shall be conveniently controlled from the operator's seated position and tested in accordance with SAE J377.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.465 Instruments

The bus shall be equipped with the following nonglare illuminated instruments and gauges mounted for easy maintenance and repair and in such a manner that



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(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART D: ELECTRICAL SYSTEM REQUIREMENTS

## Section 442.610 Generator or Alternator

The generator or alternator with rectifier shall have a maximum output of at least 55-amperes (in accordance with SAE rating) and shall be ventilated and voltage controlled and, if necessary, current controlled and shall be capable of supplying all electrical requirements. The purchaser should specify a larger generator or alternator if needed under his/her operating conditions.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.615 Lamps, Reflectors, and Signals

- a) See the FMVSS for requirements (49 CFR 571.108).
- b) Alternately Flashing Signal Lamps. Each bus shall be equipped with an eight lamp alternately flashing signal system that conforms to S45.1.4(b) of the FMVSS 108 (49 CFR 571.108) and 625 ILCS 5/12-805. A separate circuit breaker and a master switch shall be provided for this signal system. When in its "off" position, this master switch shall prevent operation of the eight lamp system; shall prevent operation of any lamps mounted on the stop signal arm panel required under subsection (hh); and shall prevent operation of any electrically controlled mechanism that would cause the stop signal arm panel to extend. The controls for the eight lamp flashing signals, the stop signal arm panel, and the service entrance door shall be arranged so as to provide for the following sequence of operations while the engine is running:

- 1) Place the alternately flashing signal system master switch in its "off" position. Close and secure the service entrance door. Actuate the alternately flashing signal system hand or foot control. The alternately flashing signal lamps of either yellow (amber) or red color shall not go on.
- 2) With the master switch "off" and the hand or foot control actuated, open the service door. The alternately flashing signals of either color shall not go on and the stop signal arm panel shall not extend.
- 3) Deactivate the hand or foot control. Place the alternately flashing signal system master switch in its "on" position. Close and secure the service door. Then open the service door. The alternately flashing signal lamps of either color shall not go on and the stop signal arm panel shall not extend.
- 4) Close and secure the service door. Actuate the alternately flashing signal system by hand or foot control. A yellow pilot

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lamp in the view of the driver and the yellow alternately flashing signals shall go on.

- 5) Desecure but do not open the service door. The yellow pilot and the yellow alternately flashing signals shall go off. A red pilot lamp in the view of the driver and the red alternately flashing signals shall go on. The stop signal arm panel shall extend.
- 6) Fully open the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- 7) Close but do not secure the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- 8) Open the service door. The red pilot and red signals shall remain on and the stop arm shall remain extended.
- 9) Close and secure the service door. The red pilot and red signals shall go off and the stop arm shall retract.
- 10) Open the service door. Alternately flashing signals of either color shall not go on and the stop arm shall not extend.
- c) Interior Lighting. A minimum of two interior dome lamps shall be installed to adequately illuminate the entire aisle, the emergency passageway, and the stepwell. At least the nosings of the service entrance steps and the floor around the stepwell shall be illuminated automatically by opening of the service door. No lamp shall be installed at or near the eye of a pupil moving through the service entranceway to the aisle unless such lamp does not shine directly into the eye(s) of any such pupil.
- d) Rear Turn Signals. Yellow turn signal lamps shall be mounted on the rear as far apart as practical and as high as practical but below the rear window. The effective projected illuminated area of these turn signal lamps shall be no less than required for the yellow alternately flashing signal lamps required under subsection (b) of this Section; i.e., .0122 m(2) (19 in(2)).
- e) Side Turn Signals. Two yellow side turn signal lamps conforming to SAE J914a are required. The lamps shall be "armored" and mounted on the body between the rub rails required under Section 442.260. The right lamp shall be within 1 m (39.4") of the rear of the service entrance but, on a forward control bus, not forward of the front axle. The left lamp shall be approximately the same distance from the front bumper as the right lamp.
- f) Stop Signals. Red stop lamps shall be mounted on the rear as far apart as practical but closer to the vertical centerline of the bus than the rear turn signal lamps required in subsection (d) of this Section, and at the same height as those turn signal lamps. The effective projected illuminated area of these stop lamps shall be no less than required for the red alternately flashing signal lamps required under subsection (b) of this Section, i.e., .0122 m(2) (19 in(2)).
- g) Strobe:
  - 1) One per bus;



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- 2) Shall emit white or bluish-white light;
- 3) Shall be visible from any direction;
- 4) Shall flash 60 to 120 times per minute;
- 5) Shall be visible in normal sunlight;
- 6) Mounted at or behind center of rooftop and equal distance from each side. Distance from rear will be calculated by measuring height of filament and multiplying same by 30 inches (i.e., filament height x 30 = distance from rear of bus where lamp is to be located). (Section 12-815 of the Code)
- 7) If a roof exit, air conditioner, or the size of the bus interferes with the placement of a strobe as required by subsection (g)(6), the strobe can be placed to the rear of the roof exit or air conditioner as near as practicable above the rear axle and horizontally centered between the rear tires.

h) Reflectors.1) Front:

- A) Two yellow rigid or sheet type (tape) front reflex reflectors shall be attached securely and as far forward as practicable. (Section 12-202 of the Code)
- B) The front reflectors shall be located between 15 and 60 inches above the roadway at either fender, cowl, or body and installed so as to mark the outer edge of the maximum width of the bus.
- C) No part of the required reflecting material may be obscured by a lamp, mirror, bracket, or any other portion of the bus. No part of the required reflecting material may be more than 11.8 inches (300 mm) inboard of the outer edge of the nearest rub rail (12 inches on a bus with chassis manufactured in March 1977 or earlier).
- D) The reflector may be any shape (e.g., square, rectangle, circle, oval, etc.). A rigid type reflex reflector may be any size if permanently marked either DOT, SAE A, or SAE J 594; otherwise, it shall display at least seven square inches of reflecting material (about 3 inch diameter if a solid circle).
- E) A sheet type (tape) reflex reflector may conform to the surface on which it is installed but its forward projected reflecting area shall be at least eight square inches.
- F) Exception: Buses that measure less than 80 inches wide are exempt. (49 CFR 571.108)

2) Left Side:

One amber no more than 12 inches from the front and one red no more than 12 inches from the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. (Section 12-202 of the Code) On buses 20 feet or more in length, one amber as near center as practicable must also be provided. Reflectors must measure a minimum three inches in diameter.

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3) Right Side:

One amber no more than 12 inches from the front and one red no more than 12 inches from the rear. Mounted at a height not less than 15 inches and not more than 60 inches above the surface of the road. (Section 12-202 of the Code) On buses 20 feet or more in length, one amber as near center as practicable must also be provided. Reflectors must measure a minimum three inches in diameter.

4) Rear:

- A) Two red reflectors on rear body within 12 inches of lower right and lower left corners. (Section 12-202 of the Code) Minimum three inches in diameter.
- B) Exception: Buses that measure less than 80 inches wide are exempt. (49 CFR 571.108)

AGENCY NOTE: See Section 442.258 for retroreflective tape requirements.

a) Interior Dome Lamps:--A minimum of two shall be located to illuminate adequately the entire aisle, the emergency passageway, and the step well.

b) Alternately Flashing Signals:--Pertinent portions of State statutes and rules:

1) "Whenever a school bus is operated for the purpose of transporting passengers other than persons in connection with an activity of the school or religious organization which owns the school bus or for which the school bus is operated, the 'SCHOOL BUS' signs shall be covered or concealed and the stop signal arm and flashing signal system shall not be operable through normal controls." (IVEC Sec. 12-806)

2) "Each school bus purchased as a new vehicle after December 31, 1975, shall be equipped with an 8 lamp flashing signal system. --A 4 lamp flashing signal system shall have 2 alternately flashing red lamps mounted as high and as widely spaced laterally on the same level as practicable at the front of the school bus and 2 such lamps mounted in the same manner at the rear. --An 8 lamp flashing system shall have, in addition to a 4 lamp system, 4 alternately flashing amber lamps. --Each amber lamp shall be mounted next to a red lamp and at the same level but closer to the centerline of the school bus. --Each signal lamp shall be sealed beam at least 5 1/2 inches in diameter and shall have sufficient intensity to be visible at 500 feet in normal sunlight. --Both the 4 lamp and 8 lamp system shall be actuated only by means of a manual switch. --Where shall be a device for indicating to the driver that the system is operating properly or is inoperative." (IVEC Sec. 12-805)

3) (IVEC Sec. 11-1414)

A) (a) Not applicable.

B) "(b) The stop signal arm. --shall be extended after the school bus has come to a complete stop for the purpose of



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loading--or--discharging--pupils--and--shall--be--closed--before  
starting--out--again:--the--stop--signal--arm--shall--not--be  
extended--at--any--other--time.

- e) "e)--The--alternately--flashing--red--signal--lamps--shall  
be--actuated--after--the--school--bus--has--come--to--a--complete--stop  
for--the--purpose--of--loading--or--discharging--pupils--and--shall  
be--turned--off--before--starting--out--again:--the--red--signal  
lamps--shall--not--be--actuated--at--any--other--time: . . .
- B) "d)--The--alternately--flashing--amber--signal--lamps--shall  
be--actuated--continuously--during--not--less--than--the--last  
100--feet--traveled--by--the--bus--before--stopping--for--the--purpose  
of--loading--or--discharging--pupils--within--a--business--or  
residential--district--and--during--not--less--than--the--last--200  
feet--traveled--by--the--bus--outside--a--business--or--residential  
district:--the--amber--signal--lamps--shall--remain--actuated  
until--the--bus--is--stopped:--the--amber--signal--lamps--shall--not  
be--actuated--at--any--other--time."

E) f) Not applicable.

- 4) The--driver--of--a--school--bus--carrying--passengers--is--required--to  
stop--listen--and--look--before--crossing--any--road--except--on  
certain--4--lane--highways--or--where--certain--traffic--controls--are  
present:--(IVE, Sec--11-1202)--in--addition,--Illinois--rules--for  
operating--a--school--bus--(which--are--enforced--in--conjunction--with  
school--bus--driver--permits--and--State--aid--for--transportation  
operations)--require--that--while--stopped,--the--driver--open--the  
service--door--and--listen--and--look--in--both--directions--before  
crossing--the--road.

- e) Alternately--Flashing--Signal--Lamps--Wiring--and--Operation:--Each--bus  
shall--be--equipped--with--an--8--lamp--alternately--flashing--signal--system  
that--conforms--to--FMVSS--and--provides--for--compliance--with--the--Illinois  
statutes--and--rules--referenced--above:

- 1) A--separate--circuit--breaker--and--a--master--switch--shall--be--provided  
for--this--signal--system:--The--operating--device--for--the--master  
switch--shall--be--accessible--to--the--seated--driver:--When--in--the  
"off" position,--this--master--switch--shall--prevent--operation--of--the  
8--lamp--system;--shall--prevent--operation--of--any--lamps--mounted--on  
the--stop--signal--arm--required--under--Section--442-285--and--shall  
prevent--operation--of--any--electrically--controlled--mechanism--that  
would--cause--the--stop--signal--arm--to--extend:

- 2) Lamps--are--not--to--be--actuated--automatically--by--connection--to--the  
service--door--or--to--the--brake--pedal--mechanism,--etc:

- 3) A--device--shall--be--installed--to--warn--the--driver--when--any--of--the  
signal--lamps--are--inoperative:

- 4) Audible--or--visual--indication--that--the--signals--are--flashing--shall  
be--provided:

- d) Reflectors--Front:--Illinois--statutes--require--that--two--yellow--(amber)  
reflectors--be--installed--so--as--to--indicate--at--least--the--nearest--of--the  
outer--edges--of--the--bus--to--a--driver--approaching--the--front--of--the

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unlighted--bus--between--sunset--and--sunrise:--(IVE, 12-202)  
1) Two--yellow--front--reflectors,--either--prismatic--or--sheet--(tape)--  
shall--be--installed--between--15"--and--60"--above--the--roadway--on  
either--the--fenders,--the--cow,--or--the--body,--as--far--apart--and--as  
far--forward--as--practicable--but--with--no--part--of--the--reflecting  
surface--more--than--11.8"--inboard--of--the--maximum--width--of--the--bus  
at--and--including--the--rub--rails--required--under--Section--442-260:  
No--part--of--the--required--reflecting--material--may--be--obscured--by--a  
lamp,--mirror,--bracket,--or--other--portion--of--the--bus.

- 2) A--prismatic--reflex--reflector,--if--installed,--shall--meet--the  
performance--and--marking--requirements--of--FMVSS-108--and--shall--be  
installed--with--the--front--face--essentially--vertical--and--facing--no  
more--than--11.3--degrees--(tan--0.2)--outboard--of--forward.

- 3) Sheet--or--tape,--if--installed,--shall--be--of--reflex--reflective  
material--conforming--to--the--specification--in--Appendix--B:--The  
reflectivity--shall--conform--to--Table--III--of--said--specification:  
The--forward--projected--area--of--such--reflector--shall--be--no--less  
than--8--square--inches.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 442.620 Wiring

- a) See the FMVSS for requirements (49 CFR 571).

b) All wiring for lamps and other electrical devices shall be as  
recommended for automobiles, motor coaches, and heavy duty starting  
motor circuits in SAE Recommended Practices J556, J555a and J541a and  
in other practices or standards referenced in the SAE Recommended  
Practices, unless specifically preempted by the FMVSS or this Part  
regulation.

- c) Manufacturer's circuit arrangements are acceptable; however, a  
separate circuit for the alternately flashing signal lamps and stop  
signal arm lamps shall be installed.

- d) Extra fuse(s) for each size of fuse used on the bus may be  
conveniently mounted on the bus body if specified by the purchaser.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART E: EQUIPMENT REQUIREMENTS

## Section 442.705 Fire Extinguisher (Purchaser's Option)

- a) The bus shall be equipped with a dry-chemical guage-type fire  
extinguisher, mounted in a bracket of automotive type and located in  
the driver's compartment in full view of and readily accessible to the  
driver.



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- b) The fire extinguisher shall be of a type approved by the Underwriter's Laboratories, Inc., with a rating of not less than 10-BC. The operating mechanism shall be sealed with a type of seal that will not interfere with the use of the fire extinguisher. Halon fire extinguishers rated at 10-BC are approved.

AGENCY NOTE: At least one fire extinguisher MUST be carried in each school bus transporting pupils but the purchaser may elect to install his own extinguisher which conforms to this Section after the bus is purchased.

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 442.715 Warning Devices for Disabled Vehicles (Purchaser's Option)

Emergency warning devices are required to be carried on school buses weighing more than 8,000 pounds and operated upon any highway outside an urban district. The warning devices must be securely stored. The warning devices shall consist of:

- a) At least three portable red emergency reflectors that conform to 49 CFR 571.125; and  
b) At least two red cloth flags, not less than 12 inches square, with standards to support the flags; or in lieu of the flags, two additional portable emergency reflectors that conform to 49 CFR 571.125. (Section 12-702 of the Code)

Emergency warning devices supplied with the bus shall consist of--3--triangular bi-directional-fluorescent-reflective-day-night-warning-devices-that-conform-to FMVSS-125.

AGENCY NOTE: The A--school--bus-MUST-carry-warning-devices-when-on-the public-roads-but-the purchaser may elect to install the his-own warning devices after the bus is purchased. that-are-in-serviceable-condition-and-that--conform to--Section--12-702--of-The-Illinois-Vehicle-Code-and-to-school-bus-safety-test requirements-

(Source: Amended at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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Section 442.APPENDIX A Hexagon Shaped Stop Signal Arm (Repealed)

STOP-SIGNAL-ARM

{One-design-that-conforms-to-Section-12-803,-IVE-}  
Optional---Double--Faced--Red--bamps---95-115---(3-5-4-5)--diameter---bamps---if  
installed,-are-to-flash-alternately-top-&-bottom-towards-front-&-rear-when--arm  
extends-



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Word-"STOP"-at-least-150-(6)-high;-brush-stroke-at-least-20-(.8)-  
Dark-areas-Red;-balance-White;  
When-red-lamps-are-not-installed;-white-areas;-except-letters-MUST-be  
reflectorized;-letters-may-be-reflectorized;  
Center-word-"STOP"-on-height-and-width-of-red-background;  
Front-face-shown;-Rear-face-similar;  
Dimensions-are-millimeters-(inches);-tolerance-plus-or-minus-.3--except--as  
shown;

(Source: Repealed at 25 Ill. Reg. \_\_\_\_\_, effective  
\_\_\_\_\_)

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Section 442. APPENDIX B Federal Motor Vehicle Safety Standards (FMVSS) and  
Related Rules (Repealed)

Availability:

Parts--567--568-and-571-in-Title-49-of-the-Code-of-Federal-Regulations--49-CFR  
567-568-and-571-are-available-in-those-public-libraries-and-other-places-that  
maintain-files-of-the-CFR-and-of-the-Federal-Register-(FR);-Title-49-of-the  
CFR-is-issued-each-October-1--Between-annual-issues-it-is-kept-up-to-date-by  
notices-published-in-the-Federal-Register;-which-is-issued-daily.  
Additional-information-concerning-availability-and-contents-of-the-FMVSS--and  
related-regulations-may-be-obtained-from:

Administrator-----Region-5  
National-Highway-Traffic-Safety-Administration  
1010-Dixie-Highway  
Chicago-Heights-Illinois--60411  
(phone:--312/756-1950)

Summary-Descriptions:

Part--567--"Certification"--specifies--the--content--location(s)--and--other  
requirements--for--a--label--permanently--affixed--to--each--new--vehicle--so--as--to--help  
a--consumer--to--determine--which--FMVSS--are--applicable--to--a--particular--vehicle--A  
vehicle--that--is--manufactured--in--two--or--more--stages--must--be--certified--to--be  
manufactured--in--conformance--with--the--applicable--provisions--of--FMVSS--in--effect  
in--either--the--month--in--which--the--vehicle--was--completed--or--the--month--in--which  
the--incomplete--vehicle--was--manufactured--or--any--month--between--those--months--An  
alter's--certification--is--provided--for--After--a--completed--vehicle--is  
certified--and--until--the--vehicle--is--sold--for--use--no--person--may--effect--an  
alteration--that--affects--compliance--with--a--FMVSS--or--causes--a--weight--rating--to  
be--invalid--or--changes--the--vehicle's--classification--unless--he--"recertifies"  
the--vehicle-

Part--568--"Vehicles-Manufactured-in-Two-or-More-Stages"--prescribes--procedures--by  
which--manufacturers--ensure--conformity--with--the--FMVSS--and--related--rules--in  
general--each--manufacturer--is--advised--by--the--previous--manufacturer--of--action  
taken--concerning--requirements--The--final--stage--manufacturer--of--a--school--bus  
usually--effects--the--certification--of--conformance--specified--under--Part--567-

Part--571--"Federal-Motor-Vehicle-Safety-Standards"--sets--forth--the--actual  
standards--The--100-series--standards--attempt--to--prevent--crashes--the--200  
series--attempt--to--reduce--accident--severity--the--300-series--concern  
post-accident--events--The--attached--"Summary-Description"--of--FMVSS--applicable  
to--buses--was--provided--by--federal--authorities-

In--a--notice--published--August--26--1976--on--page--36026--et--seq--in--Volume--41--of  
the--Federal-Register--(41--FR--36026)--the--effective--dates--of--Standards--105-757  
217-2207-221-22607--and--301-757--as--they--apply--to--school--buses--were--postponed  
from--October--1976--to--April--17--1977-



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Summary-Description  
ofFederal-Motor-Vehicle-Safety-Standards  
Applicable-to-Buses

Standard-No.-101-Control-Location-Identification-and-Illumination  
This-standard-requires-that-the-headlamps-windshield-wiping-and-other  
essential-controls-of-passenger-cars-be-labeled-and-within-the-reach-of-the  
driver-restrained-by-a-lap-and-upper-torso-restraint-seat-belt--Purpose-of-the  
standard-is-to-facilitate-control-selection-and-insure-accessibility-  
Effective-September-17-1972-the-applicability-was-extended-to-buses.

Standard-No.-102-Transmission-Shift-Lever-Sequence-Starter-Interlock-and  
Transmission-Braking-Effect

This-standard-requires-all-vehicles-with-automatic-transmission-to-have-a  
neutral-shift-lever-position-between-the-forward-and-reverse-drive-positions  
and-when-ever-a-park-position-is-included-it-shall-be-located-at-the-end-of-the  
shift-lever-sequence-adjacent-to-the-reverse-drive-position--If-the-shift  
lever-is-mounted-on-the-steering-column-the-shift-lever-movement-from-neutral  
to-forward-shall-be-clockwise--It-also-requires-an-interlock-to-prevent  
starting-the-car-in-reverse-or-forward-drive-positions--transmission-braking  
capability-and-the-permanent-marking-of-the-shift-lever-sequence--its-purpose  
is-to-reduce-the-likelihood-of-shifting-errors-starter-engagement-with-vehicle  
in-gear-and-provide-supplemental-braking-at-speeds-below-25-miles-per-hour.

## Standard-No.-103-Windshield-Defrosting-and-Defogging-Systems

The-standard-requires-that-all-passenger-cars-multipurpose-passenger-vehicles  
trucks-and-buses-manufactured-for-sale-in-the-continent-United-States-be  
equipped-with-windshield-defrosters--The-purpose-of-the-standard-is-to-provide  
visibility-through-the-windshield-during-frosting-and-fogging-conditions--The  
standard-provides-test-conditions-and-performance-requirements-for-passenger  
car-defrosting-systems--A-recent-amendment-modified-the-wind-test-condition  
procedure-effective-9/1/75.

## Standard-No.-104-Windshield-Wiping-and-Washing-Systems

This-standard-requires-that-all-buses-be-equipped-with-two-or-more-speed-power  
driven-windshield-wipers-and-windshield-washer-systems--its-purpose-is-to  
provide-improved-visibility-through-the-windshield-during-increased-weather-  
the-standard-includes-test-procedures-and-performance-requirements-for-the  
washer-systems-and-specifies-the-wiper-area-coverage-for-passenger-cars.

## Standard-No.-105-75-Hydraulic-Brake-Systems

This-standard-requires-passenger-cars-to-have-brake-systems-capable-of-stopping  
the-vehicle-under-specified-conditions--Amendments-to-the-standard  
included-upgraded-requirements-for-passenger-cars-and-extended-applicability  
to-multipurpose-passenger-vehicles-trucks-and-buses-effective-9/1/75-and-later  
delayed-until-1/1/76-permission-to-manufacture-vehicles-without-split-service  
brake-systems--the-split-service-brake-system-incorporates-service-and  
emergency-features-that-are-capable-of-stopping-the-vehicle-under-certain

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specified-conditions-such-as-hot-and-wet-fade-partial-failure-and  
inoperative-power-assist--The-parking-brake-system-must-be-capable-of-holding  
light-vehicles-on-a-30-percent-grade-and-heavy-vehicles-on-a-20-percent-grade--  
Warning-lights-are-required-to-indicate-loss-of-pressure-low-fluid-level  
antilock-system-failure-and-parking-brake-application--School-bus-braking  
requirements-were-established-in-a-later-amendment-which-became-effective-April  
17-1977.

## Standard-No.-106-Hydraulic-Brake-Hoses

The-initial-standard-establishes-minimum-requirements-for-brake-hoses  
manufactured-for-use-on-passenger-cars-and-multipurpose-passenger-vehicles--An  
amendment-to-the-standard-extends-the-applicability-to-all-motor-vehicles-and  
hydraulic-air-and-vacuum-brake-hoses-brake-hose-assemblies-and-brake-hoses  
and-fittings-for-use-in-those-vehicles--Other-amendments-modified-requirements  
and-established-effective-date-of-September-17-1974-for-brake-hose-and-brake  
hose-end-fittings-March-17-1975-for-brake-hose-assemblies-and-September-17  
1975-for-vehicles-to-which-the-standard-applies--A-recent-amendment-permits  
until-August-31-1976-manufacturing-of-motor-vehicles-with-brake-hose-end  
fittings-and-assemblies-which-comply-with-all-requirements-of-the-standard.

## Standard-No.-107-Reflecting-Surfaces

This-standard-requires-that-windshield-wiper-arms-inside-windshield-moldings  
horn-rings-and-the-frames-and-brackets-of-inside-rearview-mirrors-have-matte  
surface-which-will-reduce-the-likelihood-of-visual-glare-in-the-driver's-eyes.

## Standard-No.-108-Bumps-Reflective-Devices-and-Associated-Equipment

This-standard-specifies-requirements-for-lamps-reflective-devices-and  
associated-equipment-for-signaling-and-to-enable-safe-operation-in-darkness  
and-other-conditions-of-reduced-visibility--It-applies-the-Bureau-of-Motor  
Carrier-Safety-Regulations-to-a-number-of-large-vehicles-not-previously-covered  
because-they-are-used-in-intrastate-operations--This-standard-also-specifies  
appropriate-lighting-equipment-for-motorcycles-passenger-cars-and-small  
multipurpose-passenger-vehicles-trucks-trailers-and-buses--Sidemark-lights  
and-reflectors-hazard-warning-lights-and-backup-lights-are-included-in-the  
requirements-for-these-vehicles--This-standard-has-been-amended-several-times  
increasing-the-safety-performance-levels-of-lighting-systems--Several  
revisions-were-made-in-the-standard-effective-January-17-1972-including-the  
extension-of-the-requirements-to-cover-all-applicable-replacement-equipment-  
Another-amendment-effective-January-17-1973-affects-turn-signal-and-hazard  
warning-signal-flashers--Other-amendments-include-minimum-lighting  
requirements-for-mobile-structure-trailers-revised-requirements-for-rear  
lighting-on-small-motor-driven-cycles-and-claification-of-electrical-terminal  
specifications--This-standard-contains-some-requirements-for-school-bus  
flashing-signals.

## Standard-No.-111-Rearview-Mirrors

This-standard-requires-rearview-mirrors-to-provide-the-driver-with-a-clear-and  
reasonably-unobstructed-view-to-the-rear--It-requires-an-outside-rearview



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mirror-on-the-driver's-side-and-when-the-inside-mirror-does-not-provide-a sufficient-field-of-view-because-of-the-size-or-location-of-the-rear-window-an additional-outside-mirror-on-the-passenger-side-is-required-Also-the-inside mirror-must-be-designed-to-reduce-the-likelihood-of-injury-on-impact-it-was amended-to-allow-installation-of-truck-type-mirror-systems-in-multipurpose passenger-vehicles-and-to-extend-application-to-trucks-and-buses.

## Standard-No.-112-Headlamp-Concealment-Devices

This standard specifies that any fully opened headlamp concealment device shall remain fully opened whether either or both of the following occur:--(a) any loss of power to or within the device or--(b) any malfunction of wiring or electrical supply--for controlling the concealment device occurs--its purpose is--to-eliminate--the-possibility-of-loss-of-forward-visibility-due-to malfunction-of-the-headlamp-concealment-device.

## Standard-No.-113-Hood-Latch-Systems

This standard effective January 17-1969 specifies requirements for a hood latch system for each hood--A front opening hood which in an open position partially or completely obstructs a driver's forward view through the windshield must be provided with a second latch position on the hood latch system or with a second hood latch system.

## Standard-No.-116-Hydraulic-Brake-Fluids

This standard specifies minimum physical characteristics for two grades of brake fluids--B09-3 and B09-4 for use in hydraulic brake systems of all motor vehicles--In addition, the standard establishes labeling requirements for all brake fluid containers--An amendment establishes performance requirements for an additional type of brake fluid--B09-57 which can operate at high temperatures and does not absorb moisture.

## Standard-No.-119-New-Pneumatic-Tires

This standard specifies performance and labeling requirements for new pneumatic tires designed for highway use on multipurpose passenger vehicles trucks buses trailers and motorcycles manufactured after 1948 and requires treadwear indicators in tires and rim matching information concerning those tires--It was amended changing the effective date from 9/1/74 to 9/1/75--It was further amended changing in several respects the definitions labeling and performance provisions of the standard.

## Standard-No.-120-Tire Selection-and-Rims

This standard requires new vehicles to have tires conforming to Standard No. 119 and rims designated in the tire association manuals as fitting them--It specifies marking requirements for rims and requires additional tire and rim size designation pressure and speed restrictions and weight rating information to be placed on the existing certification label.

## Standard-No.-121-Air-Brake-Systems

This standard establishes significantly improved performance requirements which

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will-not-only-shorten-stopping-distances-but-will-eliminate-most-jackknife accidents--Amendments moved the effective date of the Standard from 9/1/74 to 1/1/75 for trailers to 3/1/75 for trucks and buses to 9/1/75 for fire-fighting vehicles and to 9/1/76 for a group of special vehicles. Specialized vehicles were exempted from the Standard altogether and reduced requirements were specified for certain vehicles for an interim period of time. The emergency braking requirements of the Standard were amended effective 9/1/76 and other minor changes were made to the requirements. Other amendments established new service brake system stopping distances until 1/1/78 and increased brake actuation times and permitted bulk agricultural commodity trailers to meet other emergency and parking brake requirements.

## Standard-No.-124-Accelerator-Control-Systems

This standard establishes requirements for the return of a vehicle's throttle to the idle position when the driver removes the actuating force from the accelerator control or in the event of a brake or disconnection in the accelerator control system.

## Standard-No.-205-Glazing-Materials

This standard specifies requirements for all glazing materials used in windshields windows and interior partitions of motor vehicles--its purpose is to reduce the likelihood of lacerations to the face scalp and neck and to minimize the possibility of occupants penetrating the windshield in collisions. It requires among other things that windshields be of a type that tend to cushion those that impact them rather than allowing head penetration and even decapitation--a problem with older windshields--An amendment to this standard added two new categories of glazing materials--amended the certification requirements and made minor changes to the chemical resistance tests.

## Standard-No.-207-Seating-Systems

This standard establishes requirements for seats their attachment assemblies and their installation to minimize the possibility of failure as a result of forces acting on the seat on vehicle impact--This standard was amended effective January 17-1972 to extend applicability to the driver's seat of buses.

## Standard-No.-208-Occupant-Crash-Protection

This standard amends Standard No.-207-Seat-Belt Installations by specifying requirements for both active and passive occupant crash protection systems for passenger cars multipurpose passenger vehicles trucks and buses--Effective January 17-1972 passenger cars were required to have improved safety belt systems which incorporate automatic adjuster single point retractor and a belt use warning system--Effective August 15-1973 passenger cars were required to provide occupant crash protection for front seating positions by passive means that require no action by vehicle occupants or to provide belt-starter interlock systems--Light trucks and multipurpose passenger vehicles were required to have one of these systems after August 15-1975--An amendment disallowed the starter interlock systems and establishes requirements for a



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visual signal, a "Pasten Seat Belt" sign, and an audible signal, that operates for a 4 to 8 second period after the ignition is operated, effective February 25, 1975, for passenger cars and January 1, 1976, for multipurpose passenger vehicles and light trucks. A recent amendment continues present options for occupant protection in passenger cars until August 31, 1976.

**Standard No. 209-Seat Belt Assemblies**

The National Bureau of Standards vehicle seat belt specifications, originally incorporated by reference, were made a part of this standard in 1968. In order to mitigate the results of an accident to a person in a motor vehicle, the standard specifies requirements for seat belt assemblies. The requirements apply to straps, webbing (for similar devices), buckles, fasteners, and all hardware designed for installing the assembly in a motor vehicle. This standard was amended to upgrade webbing abrasion, buckle crush, and emergency locking requirements, and to revise retraction forces required of emergency locking retractors.

**Standard No. 210-Seat Belt Assembly Anchorage**

Specifies requirements for seat belt anchorages to insure effective occupant restraint and to reduce the likelihood of failure in collisions. Requires anchorages for lap and upper torso restraint belts in forward facing outboard seats of cars. The standard was extended to driver's seats in buses effective January 1, 1972.

**Standard No. 213-Child Seating Systems**

Specifies requirements for child seating systems to minimize the likelihood of injury to 20-50 lb. children in vehicle crashes or sudden stops by ejection or contact with a child seating system. Requires providing information for proper installation and use.

**Standard No. 217-Bus Window Retention and Release**

Establishes minimum requirements for bus window retention and release to reduce likelihood of passenger ejection in accidents and to enhance passenger exit in emergencies effective September 1, 1973. It was amended to exempt certain buses manufactured to transport persons under physical restraint and to clarify marking requirements. It was amended further to require that each school bus have an interlock system which will prevent the engine from starting if an emergency door is locked and to have an audible warning system which will sound an alarm if an emergency door release mechanism is not closed while the engine is running, effective April 1, 1977.

**Standard No. 219-Windshield Bone Intrusion (Passenger Cars 9/1/76, Multipurpose Passenger Vehicle, Truck, and Bus of 10,000 lbs. or less GVR--9/1/77)**  
This standard's purpose is to reduce crash injuries that result from occupants contacting vehicle components displaced near or through the windshield. The standard regulates intrusion of vehicle parts from outside the occupant compartment into a defined zone in front of the windshield during a frontal barrier crash test. An amendment changed effective dates as noted above and

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substituted "daylight opening" for "windshield opening".

**Standard No. 220-School Bus Rollover Protection**

This standard specifies performance requirements for the structural integrity of the passenger compartment of school buses when subjected to forces that can be encountered in rollovers. The standard requires that upon the application of vertical downward force to the bus roof equal to 1 1/2 times the vehicle's unloaded weight, the vehicle's roof shall not crush more than 5 1/8 inches and the emergency exits shall be capable of being opened with the weight applied and after its release.

**Standard No. 221-School Bus Body Joint Strength**

This standard addresses the problem of exposure of school bus passengers to sharp metal edges when during an accident body panels become separated from the structural components to which they have been fastened. It seeks to reduce the likelihood of lacerations by requiring that body joints on school buses exceeding 10,000 lbs. GVWR have a tensile strength equal to 60 percent of the tensile strength of the weakest joined body panels.

**Standard No. 222-School Bus Passenger Seating & Crash Protection**

This standard specifies seating, restraining barrier and impact zone requirements for school buses. The standard relies on compartmentalization between well-padded and well-constructed seats to provide occupant protection on school buses. Requires seat belts on school buses of 10,000 lbs. or less GVWR.

**Standard No. 301-75 Fuel System Integrity**

The original standard specified requirements for the integrity and security of fuel tanks, fuel tank filler pipes, and fuel tank connections to minimize fire hazard as a result of collision in all passenger cars manufactured after January 1, 1968. This standard was amended to substantially upgrade the performance requirements, effective September 1, 1975. With additional requirements, the effective date is September 1, 1976. September 1, 1977 standard covers all vehicles under 10,000 pounds (except motorcycles) and requires preservation of fuel system integrity by limiting fuel spillage incidental to severe front, rear, and lateral crash tests. Crash test at any point and angle for school buses exceeding 10,000 lbs. GVWR.

**Standard No. 302-Flammability of Interior Materials**

Specifies burn requirements for materials used in the compartments of motor vehicles. An amendment, effective October 1, 1975, modifies the test procedures and specimen preparation requirements.

(Source: Repealed at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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Section 442.APPENDIX D Sheeting and Tape, Reflective: Nonexposed Lens  
(Repealed)

This specification was approved by the Commissioner, Federal Supply Service, General Services Administration, for the use of all Federal agencies:

## 1- Scope and Classification

1-1 Scope:--This specification covers flexible, colored, reflective sheeting and tape designed to enhance nighttime visibility of signs and objects.

## 1-2 Classification:

1-2-1 Types:--The reflective material shall be of the following types as specified (see 6-2):

Type I--Sheeting, reflective (sheets or rolls).

Type II--Tape, reflective (rolls).

1-2-2 Reflectivities:--Colors, classes, and durabilities:--The reflectivities, colors, classes, and durabilities shall be as designated in table VIII, if applicable, for each product.

## 2- Applicable Documents

2-1 The following documents, of the issues in effect on date of invitation for bids or request for proposal, form a part of this specification to the extent specified herein:

Federal Specification:

PPP-B-636--Boxes, Shipping, Fiberboard.

Federal Standards:

Fed. Test Method Std.

NO-141--

Paint, Varnish, Lacquer, and Related Materials--Methods of Inspection, Sampling, and Testing.

Fed. Test Method Std.

NO-370--Instrumental Photometric Measurements of Retroreflective Materials and Retroreflective Devices.

(Activities outside the Federal Government may obtain copies of Federal Specifications, Standards, and Handbooks as outlined under General Information in the Index of Federal Specifications and Standards and at the prices indicated in the Index. The Index, which includes cumulative monthly supplements as issued, is for sale on a subscription basis by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

(Single copies of this specification and other Federal Specifications required by activities outside the Federal Government for bidding purposes are available without charge from General Services Administration, Business Service Centers in Boston, New York, Philadelphia, Washington, DC, Atlanta, Chicago, Kansas City, Fort Worth, Houston, Denver, San Francisco, Los Angeles, and Seattle, WA. (Federal Government activities may obtain copies of Federal Specifications, Standards, and Handbooks and the Index of Federal Specifications and Standards from established distribution points in their agencies.)

Military Standard:

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M1B-SWB-105--Sampling Procedures and Tables for inspection by Attributes:

(Copies of Military Specifications and Standards required by contractors in connection with specific procurement functions should be obtained from the procuring activity or as directed by the contracting officer.)

2-2 Other publications:--The following documents form a part of this specification to the extent specified herein:--Unless a specific issue is identified, the issue in effect on date of invitation for bids or request for proposal shall apply.

American Society for Testing and Material (ASTM) Standards:

6-23 Operating Light and Water Exposure Apparatus (Carbon Arc Type) for Exposure of Nonmetallic Materials.

E-97 Standard Method of Test for 45-Deg Directional Reflectance of Opaque Specimens by Filter Photometry.

D-2794 Standard Method of Test for Resistance of Organic Coatings to the Effects of Rapid Deformation (Impact).

(Application for copies should be addressed to the American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.)

Munsell Book of Color

(Application for copies should be addressed to the Munsell Color Company, 2441 North Calvert Street, Baltimore, MD 21218.)

National Motor Freight Association, Inc.: Agent:

National Motor Freight Classification

(Application for copies should be addressed to the American Trucking Association, Inc., Traffic Department, 1616 P Street, N.W., Washington, DC 20036.)

Uniform Classification Committee: Agent:

Uniform Freight Classification

(Application for copies should be addressed to the Uniform Classification Committee, Room 1107, 222 South Riverside Plaza, Chicago, IL 60606.)

3- Requirements

## 3-1 Qualification:

Sheeting and tape furnished under this specification shall be a product which has been tested in accordance with the qualification tests described in section 4 of this specification and have been listed or approved for listing on the applicable Federal Qualified Product List (see 6-4).

3-2 Qualification samples:--The qualification sample submitted by the manufacturer shall be identified for the purpose of comparing with material subsequently submitted for acceptance. Within experimental limits, qualification and acceptance samples should be identical. Any lot or lots found not to be identical with the qualified sample shall be rejected.

3-3 Construction and appearance:--The reflective sheeting and tape shall consist of a smooth, flat exterior film with retroreflective elements having a uniform homogeneous appearance.

## 3-4 Materials



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3-4.1 Exterior film. The exterior film shall be a transparent, flexible, smooth surfaced weather resistant material.

3-4.2 Retroreflective elements. The retroreflective elements shall be embedded or suspended beneath the exterior film so as to form a nonexposed optical retroreflective system.

3-4.3 Backing. When specified, the backing shall be as follows: The backing for the classes 1-2, 3-4, and 5 shall be as specified respectively in 3-4.3.1, 3-4.3.2, 3-4.3.3, 3-4.3.4, and 3-4.3.5. The adhesive backing of the reflective sheeting and tape shall produce a bond such that a 1 inch (2.54 cm) wide strip shall support a 1 3/4 pound (0.79 kg) weight for classes 1-2, 3-4, and 5 and a 1 pound (0.45 kg) weight for class 4 for 5 minutes without the strip peeling for a distance of more than 2.0 inches (5.08 cm) when applied to a smooth aluminum surface and tested as specified in table VI.

3-4.3.1 Class 1. The adhesive backing for the class 1 reflective sheeting and tape shall have a pressure sensitive adhesive which requires no heat, solvent or other preparation for adhesion to smooth, clean surfaces.

3-4.3.2 Class 2. The adhesive backing for the class 2 reflective sheeting and tape shall have a tack free adhesive which shall be activated by applying heat and pressure to the material. The temperature necessary to form a durable permanent bond shall be a minimum of 175°F (80°C). The class 2 material shall be positionable under normal shop conditions and at substrate temperatures up to 100°F (38°C) and without damage to the material when tested in accordance with table VI. The class 2 material may be perforated to facilitate removal of air in heat vacuum laminators, but the perforations must be of size and frequency such that they do not cause objectionable blemishes when the sheeting is printed.

3-4.3.3 Class 3. The adhesive backing for the class 3 reflective sheeting and tape shall have a positionable pressure sensitive adhesive which requires no heat, solvent or other preparation for adhesion to smooth, clean surfaces. The class 3 material shall be positionable to standard conditions and 100°F (38°C) without damage to the material when tested in accordance with table VI.

3-4.3.4 Class 4. The adhesive backing for the class 4 reflective sheeting and tape shall have a low temperature pressure sensitive adhesive that permits sheeting application at temperatures down to 10°F (-23°C) without the aid of heat, solvent or other preparation for adhesion to smooth, dry, clean surfaces when tested in accordance with table VI.

3-4.3.5 Class 5. The backing for class 5 reflective sheeting and tape shall be a nonadhesive backing made of a material commercially used for this type of product.

3-4.4 Liner. For classes 1-2, 3-4, and 5 material, the adhesive backing of the reflective sheeting and tape shall be completely covered by a protective liner. The liner may be marked on the exposed side with manufacturer's identification, application instructions and other information commonly included in the manufacturer's commercial

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product. The liner shall be removable from the adhesive backing without soaking in water or other solvents. During removal, the liner shall not break or tear and shall not remove the adhesive from the backing when tested as specified in table VI.

3-5 Daytime color. The daytime color of the sheeting and tape shall be as specified and shall conform to requirements of table IA or IB (as applicable) when tested as specified in either 4-4.8.1 or 4-4.8.2.



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TABLE-1A.-Color-specification-limits-and-reference standards-(reflectivities-17-37-and-47)

Color Papers	Chromaticity-Coordinates*			Reflectance-Limit-Ref.-Std.		
	1	2	3	4	Min	Max
x	y	z	x	y	z	
White	305-290	350-342	321-361	276	35-0	6-36Y
Gold	433-390	475-420	452-450	410-420	20-0	6-77Y0-8
5-30/7-4						55Y
Brown	445-353	604-396	556-443	445-386	4-0	5YR
3/6						
Yellow	402-450	532-465	505-494	475-485	29-0	45-0
1-25Y						
6/12						
Orange	535-375	607-393	582-417	535-399	18-0	30-0
2-5YP						
5-5/14-0						
Red	602-317	664-336	644-356	575-356	8-0	12-0
8-2R						
3-70/14-0						
Bark						
Red	622-311	680-311	659-341	622-341	5-0	9-0
6-8R						
3-56/14-6						
Green	130-369	180-391	155-460	107-439	3-5	9-0
2-6BG						
2-84/8-45						
Blue	147-075	176-091	176-151	106-113	1-0	4-0
5-0PB						
1-32/6-0						

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TABLE-1B.-Color-specification-limits-and-reference standards-(reflectivity-27)

Color Papers	Chromaticity-Coordinates*			Reflectance-Limit-Ref.-Std.		
	1	2	3	4	Min	Max
x	y	z	x	y	z	
White	303-287	368-353	340-380	274-316	27-0	5PB
7/1						
Yellow	498-412	557-442	479-520	430-472	15-0	40-0
1-25Y						
6/12						
Orange	550-360	630-370	581-410	516-394	14-0	30-0
2-5YR						
5-5/14						
Red	613-297	708-292	636-364	550-352	2-5	11-0
3/12						
Green	030-380	166-346	286-420	201-776	3-0	106
3/0						
Blue	144-030	244-202	190-247	066-208	1-0	10-0
5-0PB						
1-32/6-0						

\*--The--four-pairs-of-chromaticity-coordinates-determine-the-acceptable chromaticity-on-the-CIE-diagram.

3-6 Performance---Sheeting-and-tape-material-shall-comply-with-all-the requirements-specified-in-this-section.

3-6-1 Flexibility:---When-tested-as-specified-in-table-VI, the-reflective sheeting-and-tape-shall-show-no-evidence-of-cracking, peeling, or delamination.

3-6-2 Solvent--resistance:---When-tested--as--specified--in--table-VI, the reflective sheeting-and-tape shall show no evidence of dissolving, puckering, or blistering.

3-6-3 Impact--resistance:---When-tested--as--specified--in--table-VI, the reflective sheeting shall show no evidence of cracking or delamination.

3-6-4 Retroreflective--photometric--performance--(RPP):---When-tested--as specified-in-table-VI, the photometric performance shall be determined in--specific--intensity--per--unit--area--(SIA). The SIA values of the reflective sheeting-and-tape shall be not less than the values specified in tables II through V for each reflectivity and color as applicable. The reflectivity of the sheeting-and-tape shall be as specified in table VIII, if applicable, and 6-2.



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TABLE II--Specific-Intensity-per-unit-Area-(SIA)--Minimum  
Reflectivity-1-Sheeting-and-Tape

Observation Angle <sup>a</sup>	Entrance Angle <sup>a</sup>	Dark						
		White	Gold	Brown	Yellow	Orange	Red	GreenBlue
0-2	-4	70-0	50-0	1-0	50-0	25-0	14-5	9-024-0
0-2	+30	30-0	16-0	0-3	22-0	7-0	6-0	3-521-7
0-5-4	30-0	16-0	0-3	25-0	13-5	7-5	7-0	4-522-0
0-5+30	15-0	10-0	0-2	13-0	4-0	3-0	3-0	2-220-0
2-0-4	1-7	1-2	0-02	1-2	0-6	0-3	0-3	0-220-1
2-0+30	1-4	1-0	0-02	1-0	0-5	0-2	0-2	0-1420-08

TABLE III--Specific-Intensity-per-unit-Area-(SIA)--  
Minimum-Reflectivity-2-Sheeting-and-Tape

Observation Angle <sup>a</sup>	Entrance Angle <sup>a</sup>	Dark						
		White	Yellow	Orange	Red	Green	Blue	Blue
0-2	-4	250-0	170-0	100-0	45-0	45-0	20-0	20-0
0-2	+30	150-0	100-0	60-0	25-0	25-0	11-0	11-0
0-5	-4	95-0	62-0	30-0	15-0	15-0	7-5	7-5
0-5	+30	65-0	45-0	25-0	10-0	10-0	5-0	5-0
2-0	-4	4-0	3-0	1-1	0-7	0-5	0-3	0-3
2-0	+30	3-0	1-0	0-5	0-3	0-2	0-1	0-1

TABLE IV--Specific-Intensity-per-unit-Area-(SIA)--  
Minimum-Reflectivity-3-Sheeting-and-Tape

Observation Angle <sup>a</sup>	Entrance Angle <sup>a</sup>	Dark						
		White	Gold	Yellow	Orange	Red	Green	Blue
0-2	-4	50-0	25-0	25-0	13-0	10-0	5-0	3-8
0-2	+30	12-0	7-0	7-0	4-0	3-0	2-0	1-0
0-5	-4	15-0	13-0	10-0	6-5	5-0	3-0	2-0
0-5	+30	6-0	3-0	3-0	2-5	1-0	1-0	0-8
2-0	-4	4-0	3-2	2-2	1-9	1-6	1-0	0-6
2-0	+30	2-2	1-0	1-0	0-7	0-6	0-3	0-3

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TABLE V--Specific-Intensity-per-unit-Area-(SIA)--  
Minimum-Reflectivity-4-Sheeting-and-Tape

Observation Angle <sup>a</sup>	Entrance Angle <sup>a</sup>	Dark						
		White	Yellow	Orange	Red	Green	Blue	Blue
0-2	-4	250-0	170-0	70-0	35-0	30-0	20-0	20-0
0-2	+30	95-0	64-0	26-0	13-3	11-4	7-6	7-6
0-5	-4	200-0	136-0	56-0	28-0	24-0	18-0	18-0
0-5	+30	60-0	40-0	17-0	8-4	7-2	4-8	4-8
2-0	-4	8-0	6-0	2-2	1-4	1-0	0-6	0-6
2-0	+30	6-0	3-6	1-0	0-6	0-4	0-2	0-2

3-6-4-1 Wide--entrance--angularity--When specified--the SIA values--at 50-0 entrance--shall be 1-0 percent--of the specified minimum values--at 0-2 observation--and 4-0 entrance--angles--for all reflectivities--(see 6-2):

3-6-5 Accelerated weathering--When tested--as specified--in table VI--for the number--of--hours--(durability)--specified--in table VIII--the reflective sheeting--and--tape--shall:

- (a) Show "good" colorfastness--or better.
- (b) Show no evidence of cracking, sealing, pitting, blistering--edge lifting--or curling--or more than 1/32-inch--(0.08-cm)--shrinkage--or expansion.
- (c) Retain not less than 50 percent--of the SIA values--specified--in tables II--IV--and V--for reflectivities 1-7--3--and 4--respectively--not less than 80 percent--of the SIA value--specified--in table III for reflectivity 2.
- (d) Not be removable--from the aluminum panels--without damage.

3-6-5-1 Rainfall--After accelerated weathering--as specified--in 3-6-5--the SIA value--of the reflective sheeting--when subjected to--the rainfall test--shall not be reduced by more than 10 percent--of the dry-measured SIA values--of the weathered sample.

3-6-6 Resistance to heat--cold--and humidity--When tested--as specified--in table VI--the reflective material--shall not crack, peel, chip--or delaminate--from the test panel.

3-6-7 Shrinkage--When tested--as specified--in table VI--the reflective material--shall not shrink more than 1/32-inch--(0.08-cm)--in 10 minutes--nor more than 1/8-inch--(0.32-cm)--in 24 hours.

3-6-8 Fungus--resistance--After inoculation--with--the test organism Aspergillus niger--and incubation--for 14 days--the reflective sheeting and tape--shall show no fungus growth--After completion--of--the incubation--and after being wiped clean--the reflective sheeting--and tape--shall retain the full SIA values--as specified--in table II--through V--the sheeting--and--tape--shall not be removable--from--the aluminum panels--without damage.

3-6-9 Specular gloss--When tested--as specified--in table VI--the reflective sheeting--and--tape--shall have a specular gloss--reading--of not less than 40.



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## 3-7 Formy-design-and-dimensions:

3-7-1 Sheets:--When--the-reflective-material-is-in-sheet-form--the-design and-dimensions-shall-be-as-specified-(see-6-2)--within-a-tolerance--of +-1/8--(0-32-cm)--Sheeting-shall-be-of-any-width-over-6-inches-(15-2 cm)--The-corners-of-the-sheets-shall-be-square-(90°)-to-a-tolerance of+-0-154.

3-7-2 Rolls:--When--furnished--in--rolls--the-reflective-material-shall-be evenly-and-tightly-wound-on-a-core-of-sufficient-rigidity--to--prevent distortion-of--the-roll--The-length-and-width-of-the-rolls-shall-not be-less-than-specified-(see-6-2)--Tapes-shall-be-in-widths-up-to--and including--6--inches--plus-or-minus-1/16-inch-(15-2-cm--plus-or-minus 0-16-cm)--Rolls-of-reflectivity-1-2-and-4--materials--shall--contain not-more-than-an-average-of-four-pieces--and-no-roll-shall-contain-more than-five-pieces-per-50-yards-(45-72-m)-length--Rolls-of-reflectivity 3-material-shall-contain-not-more-than-an-average-of-six-pieces-per-50 yards--(45-72-m)-length--and--no-roll-shall-contain-more-than-seven pieces-per-50-yards-(45-72m)-length.

3-7-3 Thickness:--The-thickness-of--the--reflective--material--(excluding class--5-material)-without-the-protective-liner-shall-be-not-more-than 0-012-inch-(0-03-cm)-for-reflectivities-1-2-3-and--3--and--0-025--inch (0-06-cm)-for-reflectivity-4.

3-8 Instructions:--Instructions--defining--a--step-by-step--procedure--for application-of-the-reflective-sheeting-and-tape-shall-be-furnished--by the-supplier--and--shall--be-included-with-each-package-of-reflective material--Any--restrictions--on--the--application--procedure--or--any precautions--to--be--exercised--regarding--surface--preparation--and application-temperature-shall-be-included-in-the-instructions.

3-9 Workmanship:--The-reflective-sheeting-and-tape-shall-be-free-of-ragged edges--cracks--pits--or-dirt--The-occurrence-of-defects--shall--not exceed--the--specified--quality--levels--in-section-4--Splices-shall-be strong-enough-to-withstand-normal-handling--and--be--of--the--lap--type except--for--class--2--sheeting--in-which-the-butt-type-splice-shall-be required--The-reflective-sheeting-shall-be-flat-and-smooth--and--free of-fluted-edges--puckers--wrinkles--or-creases.

3-10 Processability:--The--reflective--sheeting--shall-be-compatible-with applicable-normal-handling-practices--Sheets-shall-be--flat--Sheets cut--from--rolls-shall-not-show-excessive-edge-curl-which-would-hinder printing-or-application-to--blanks--Normal--variations--in--humidity shall-not-engender-excessive-curl.

The--reflective--material--must--be--capable--of--being-printed-by-the conventional-silk-screen-process-method-with-process-pastes--furnished by-the-sheeting-manufacturer--or--recommended-independent-manufacturers.

## 4- Quality-Assurance-Provisions

4-1 Responsibility--for--inspection:--Unless--otherwise--specified--in-the contract-or-purchase-order--the-contractor--is--responsible--for--the performance-of-all-inspection-requirements--as--specified--herein.

## 4-2 Qualification:

4-2-1 Qualification---tests--and--inspections:--Qualification--tests--and

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inspections-shall-consist-of-all-test-and-inspections-specified-in-4-3 and-4-4.

4-2-2 Qualification-sample:--The-sampling-procedure-shall-be-as-specified in-4-3-4--utilizing-one-sample-unit-for-qualification-testing.

4-2-3 Failure-to-qualify:--Sheeting-and-tape-failing-to-comply-with-any-of the-performance-requirements-and-tests-specified-in-4-3-4-shall-fail to-qualify.

4-3 Quality-conformance-inspection:--Sampling--for--inspection--shall--be performed--in--accordance--with--Mib-SWB-105--except--where--otherwise indicated--hereinafter.

4-3-1 Component-and-material-inspection:--In-accordance--with--4-1--above-- components--and--materials--shall-be-tested-in-accordance--with--all--the requirements-of-referenced-specifications--drawings--and--standards unless--otherwise--excluded--amended--modified--or--qualified--in--this specification--or--applicable-purchase-documents.

4-3-2 Inspections-of-the-end-item:

4-3-2-1 Visual-examination-of-the-end-item:--The-reflective-material-shall be-examined-for-the-defects-listed-below--The-lot-size--for--purposes of-sampling-shall-be-expressed-in-units-of-1-yard-(0-91-meter)--each-or one-sheet-each--as-applicable--An-approximately-equal-number-of-units shall--be-examined--from--each-roll-or-bundle-of-sheets--The-inspection level--(sample-size)-shall-be-1-and-the-acceptable-quality-level--(AQL) shall--be--1-5--percent-defective--The-defects-found-shall-be-counted regardless-of-their-proximity-to-each-other--In-rolls--a--continuous defect-shall-be-counted-as-one-defect-for-each-sample-unit-or-fraction thereof-in-which-it-occurs.



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EXAMINE	DEFECT
Assembly-of-roll	End-of-roll-not-secured; Not-wound-evenly-and-tightly; Core-missing-loose-distorted-or broken; Not-tightly-wound-on-a-core;
Unwinding-of-roll (examine-both-sides) surface	When-unwinding-material-sticks-together causing-tearing-or-injury-to-any surface; Average-of-more-than-four-pieces-per-50 yards-(45-72-meters)-of-material-in-roll (reflectivity-17-27-and-4-material); More-than-five-pieces-(reflectivity-17-27 and-4-material)-or-more-than-seven-pieces (reflectivity-3-material)-in-any-50-yard (45-72-meter)-length-of-material-in-the roll;
Splices	Not-strong-enough-to-withstand-normal handling; Not-of-the-lap-type-except-for-class-2 sheeting; Class-2-sheeting-not-of-the-butt-type;

4-3-2-3 Dimensional-examination-of-the-end-item-The-end-item-shall-be  
examined-for-defects-in-dimensions-(see-3-7)-The-sample-unit-for  
this-examination-shall-be-one-sheet-for-type-I-and-one-roll-for-types  
II-and-III-when-applicable-Any-dimensions-except-for-length-of-rolls  
which-is-more-or-less-than-that-specified-shall-be-classified-as-a  
defect-The-roll-shall-be-expressed-in-units-of-one-roll-or-sheet  
The-inspection-level-shall-be-S-2-and-the-acceptable-quality-level  
(AQL)-shall-be-4-0-defects-per-100-units  
4-3-2-3-1 Length-of-individual-rolls-During-the-visual-examination-in  
4-3-2-17-each-roll-in-the-sample-shall-be-examined-for-length-Any  
length-found-to-be-more-or-less-than-that-specified-by-more-than-5  
yards-(4-57-meters)-shall-be-classified-as-a-defect-The-roll-shall-be  
unacceptable-if-two-or-more-length-defects-occur  
4-3-2-3-2 Average-length-of-rolls-The-roll-shall-be-unacceptable-if-the  
average-length-of-the-rolls-in-the-sample-is-less-than-that-specified  
(see-6-2);  
4-3-3 Examination-of-preparation-for-delivery-An-examination-shall-be  
made-to-determine-that-the-packaging-packing-and-marking-comply-with  
the-requirements-of-section-5-The-sample-unit-shall-be-one-shipping  
container-Sampling-shall-be-in-accordance-with-MIB-SP-105-The  
inspection-level-shall-be-S-2-with-an-AQL-of-4-0-percent-defective

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EXAMINE	DEFECT
Adhesive-backing	Backing-not-completely-and-evenly-covered with-adhesive
Finer	Missing; Does-not-completely-cover-back-of sheeting-or-tape;
Color	Not-color-specified;
Design-and-form	Not-type-specified; Sheets-not-cut-as-specified-(type-I); Sheet-not-one-piece-(type-I);
Appearance	Surface-of-exterior-film-not-smooth; Any-tear-cut-hole-crack-blister; dirty-crease-scales-or-pits; Any-edge-ragged-nicked-crushed-or uneven; Sticky-edges; Any-solid-lump-if Any-spot-stain-or-streak-more-than-1 inch-(2-54-cm)-in-its-longest-dimension- if Excessive-curl-edge-rippy-or delamination-from-the-adhesive-backing; Not-uniform-and-homogenous;
Reflective-elements	Not-embedded-or-suspended-beneath-the film;
Clearly-visible-at-normal-inspection-distance-(approximately 3-feet)-9-14-cm	

4-3-2-2 Examination-for-defects-in-put-up-of-rolls-The-sample-unit-shall  
be-one-roll-The-roll-shall-be-expressed-in-units-of-one-roll-The  
inspection-level-shall-be-S-3-and-the-acceptable-quality-level-(AQL)  
shall-be-6-5-percent-defective



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4-3-4 Testing:--Each lot--of--the--end--item--shall--be--tested--for--the characteristics--footnoted--in--table--VI--(see--3-4-3-3-4-4-3-6-1-3-6-4-7 and--3-5)--the--qualification--sample--shall--be--tested--for--all--of--the characteristics--listed--in--table--VI--When--sampling--for--test--purposes--the--lot--size--shall--be--expressed--in--units--of--1--square--yard--and--the sample--size--(number--of--sample--units)--shall--be--as--specified--in--table VII--The--sample--unit--shall--be--1--square--yard--or--square--meter--of reflective--material--in--the--event--that--the--sheets--ordered--are--not--of the--minimum--dimensions--required--for--testing--the--manufacturer--shall furnish--from--the--same--manufacturing--lots--and--materials--1--square--yard of--the--material--with--the--minimum--width--of--12--inches--(30.5--cm)--for performing--tests--the--lot--shall--be--unacceptable--if--one--or--more--units fail--to--meet--the--requirements--specified--the--number--of--determinations per--sample--unit--as--well--as--the--reporting--of--test--results--shall--be--as required--by--the--referenced--test--method--as--otherwise--indicated--in--table VI--All--test--reports--shall--contain--the--individual--values--utilized--in expressing--the--final--result--

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TABLE-VI--Instruction-for-testing

Characteristic	Specification reference	Require-ment	Test Method	Number determinations per/sample unit	Results--reported--as Pass or-fail Numerically to-nearest
Adhesion--initial	3-4-3	4-4-4-4	2	X	
Positionability (classes--2--and--3) and 3-4-3-3	3-4-3-2	4-4-3	1	X	
Adhesion--cold temperature (class--4)	3-4-3-4	4-4-4-1	2	X	
Removability--of liner--1	3-4-4	4-4-4	2	X	
Flexibility--1	3-6-1	4-4-5	1	X	
Solvent-resistance	3-6-2	4-4-6	1--each-solvent	X	
Impact-resistance	3-6-3	4-4-13	1	X	
RPP--1	3-6-4	4-4-7	Ave--of--3--readings	0-1	
Color--1	3-5	4-4-8	1	0-001	
Resistance-to accelerated weathering	3-6-5	4-4-9		0-1	
RPP	3-6-5	4-4-9-3	Ave--of--3	0-1	
RPP--during rainfall	3-6-5-1	4-4-9-4	Ave--of--3		
Shrinkage--or expansion	3-6-5	4-4-9-2	1	1/64--in--(+04--cm)	
Colorfastness	3-6-5	4-4-9-1	1	X	
Adhesion	3-6-5	4-4-9-5	1	1/32--in--(+08--cm)	
Resistance-to heat--cold--and humidity	3-6-6	4-4-10			
Resistance-to heat	3-6-6	4-4-10-1	1	X	
Resistance-to cold	3-6-6	4-4-10-2	1	X	
Resistance-to humidity	3-6-6	4-4-10-3	1	X	
Shrinkage	3-6-7	4-4-11	1	1/64--in--(+04--cm)	
Pungus-resistance	3-6-8	4-4-12	3	X	
Specular-gloss	3-6-9	4-4-14	1	X	



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1/ Characteristic shall be tested for acceptance of end item.

TABLE VII: Bot and sample sizes

	Bot size	Sample size
(square yards or square meters)	(square yards or square meters)	(square yards or square meters)
800 or less		2
801 up to and including 227,000		3
227,001 or more		5

4-4 Test methods:

4-4-1 Test conditions: Unless otherwise specified herein, all applied and unapplied test samples and specimens shall be conditioned at the standard condition specified in PED-STD-141 for 24 hours prior to testing.

4-4-2 Test panels: Unless otherwise specified herein, when tests are to be performed using test panels, the specimens of reflective material shall be applied to smooth 0.020 in (0.051 cm) min thick aluminum panels cut from aluminum sheets. The aluminum shall be degreased and lightly acid etched before the specimens are applied. The specimens shall be applied to the panels in accordance with the furnished instructions.

4-4-3 Positionability: Prepare three test samples 2" x 5" (5.1 x 12.7 cm). Precondition reflective sheeting samples, test panels and a test weight maintained at 38° C (100° F) in an oven. The test weight shall have a 1 square inch (6.5 sq cm) circular flat base and shall weigh 400 grams. The samples shall have one end creased back to form a tab. After 1 hour of preconditioning, remove the adhesive liner and place the sample in contact with the test substrate adhesive side down, then gently place the test weight on the center of the flat portion of the reflective specimen and leave it in place for 30 seconds. Remove the test weight by lifting vertically without tipping or sliding. When immediately attempt to remove the reflective film manually. Any damage to the reflective film or removal of adhesive constitutes failure.

4-4-4 Adhesion test: Subject two 2" by 6 inch (5.1 by 15.2 cm) pieces of the reflective material to a temperature of 160° F (71° C) and a pressure of 2.5 pounds per square inch (176 kg/sq cm) for 4 hours. Bring the materials to equilibrium at standard conditions and cut one 1" by 6 inch (2.54 by 15.2 cm) adhesion specimen from each piece and remove the liner by hand without the use of water or other solvents. During removal of the liner, it shall be noted whether any liner breaks or tears or removes any adhesive from the backing. Apply 4 inches (10.1 cm) of one end of each specimen to a test panel. Condition as specified in 4-4-1. Suspend the panels in a horizontal position with the specimen facing downward. Attach a 1 3/4 pound (0.79 kg) weight (classes 1-2 and 3) or a 1 pound (0.45 kg) weight

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(class 4) to the free end of each specimen and allow it to hang free at an angle of 90° to the panel surface for 5 minutes. At the end of the 5 minute period, check the distance of peeling. Failure of any one specimen shall constitute failure of the test. In addition, the class 4 reflecting sheeting and tape shall be tested for low temperature adhesion in accordance with 4-4-4.1.

4-4-4.1 Low temperature adhesion (class 4): The test specimen shall be 3 inches by 6 inches (7.6 by 15.2 cm). One specimen along with a 4 by 8 inch (10.1 by 20.3 cm) etched aluminum test panel shall be conditioned at 10° F (-23° C) for 1 hour and the test performed as follows:

Apply the specimen to the panel making sure the panel is dry and condition for 30 minutes at 10° F (-23° C). Without the aid of a tool, the reflective material shall not be removable from the panel without damage.

4-4-5 Flexibility: at standard conditions. The reflective material with the liner removed and conditioned for 24 hours at 72° F (23° C) and 50 percent relative humidity, shall be sufficiently flexible to show no cracking when slowly bent, in one second's time around a 1/8 inch (3.2 mm) mandrel with adhesive contacting the mandrel. Test samples shall be 2 3/4 inch (7.0 cm) by 11 inches (27.9 cm). Any evidence of cracking, peeling or delamination shall constitute failure.

AGENCY NOTE: For ease of testing, spread talcum powder on adhesive to prevent sticking to the mandrel.

4-4-6 Solvent resistance: Determine the resistance of the reflective material to the solvents specified herein by immersing one test specimen in a glass exposure container for each solvent separately at room temperature. Specimens, each 1 by 6 inches (2.54 by 15.2 cm) shall be applied to test panels. Solvents and immersion time shall be as follows:

Solvents*	Immersion time
Kerosene and turpentine	10 minutes
Toluol, xylol, and methyl alcohol	1 minute

\*WARNING: These solvents are flammable and toxic. Avoid inhalation and prolonged skin contact. Do not expose to open flame or sparks.

At the end of the immersion period, remove the test panels from the exposure containers and allow to dry before examining for evidence of puckering, blistering, or dissolving of the exterior film and adhesive. Failure of any solvent shall be cause for rejection of the lot.

4-4-7 Retroflective photometric performance (RPP): The photometric performance shall be determined in accordance with Federal Test Method Standard 370.

(a) The photometric performance shall be determined in specific intensity per unit area (SIA):



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Calculations for the SIA performance values shall be determined using the following formula:

$$SIA = \frac{K-R(B+1)}{A-R}$$

where

R = The reading of the photoreceptor while measuring the illuminance at the observation position;

R = The reading of the photoreceptor while measuring the normal illuminance at the face of the retroreflective sample;

B = Distance between the center of the photoreceptor's entrance aperture and the reference center;

A = Surface area of the sample;

K = Photoreceptor's color correction factor;

(b) English units shall be used in specifying the photometric performance of the test samples;

(c) The units are in candelas per foot-candle per square foot;

(d) The photometric performance values of the test samples shall be in accordance with the values in tables II, III, IV, and V;

(e) The observation angles shall be 0.2°, 0.5°, and 2.0°;

(f) The entrance angles shall be 4° and 30° (50° when specified see 6-2);

(g) The datum mark's orientation angle shall be random except as required and shall be so specified;

(h) The presentation angle shall be 0°;

(i) The test distance (B) shall be 50 feet except that 100 ft may be used for the 0.2° and 0.5° observation angle measurements;

(j) The maximum effective area of the test sample shall be 1 square foot; the maximum dimension of the test sample shall be not greater than 1.5 times the minimum dimension;

(k) The photoreceptor's maximum angular aperture shall be 10 minutes of arc;

(l) The light projector's maximum angular aperture shall be 10 minutes of arc;

(m) The reference center of the test sample shall be the geometric center;

(n) The reference axis of the test sample shall be defined if it is not perpendicular to the surface of the sheeting;

4-4-8 Color: Conformance to color requirements shall be determined by instrumental method of 4-4-8.1 or when specified by alternate

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instrumental method of 4-4-8-2:

4-4-8-1 Instrumental method: Determine the color of the reflective material in accordance with ASTM E 97. (Geometric characteristics must be confined to illumination incident within 10 deg of and centered about a direction of 45 deg from the perpendicular to the test surface viewing is within 15 deg of and centered about the perpendicular to the test surface. Conditions of illumination and observation must not be interchanged). The standards for calibrating the test apparatus shall be the Munsell Papers designated in table I. They must be recently calibrated on a spectrophotometer. The test instrument shall be one of the following:

1. Gardner Multipurpose Reflectometer or Model X520 and X523 Color and Color Difference Meter;

2. Gardner Models AE-2A or X530 Color Difference Meter;

3. Meeco Model V Colormaster;

4. Hunterlab D25 Color Difference Meter;

4-4-8-2 Alternate instrumental method: When specified, color shall be tested in conformance with requirements and instrumental test method of contract;

4-4-9 Resistance to accelerated weathering: The reflective material shall be tested for color fastness, retroreflective photometric performance, shrinkage, and adhesion after exposure in accordance with ASTM G-23 type B or 2H with humidifier off, for the hours specified in table VIII. The material shall be applied to three test panels 2 1/2 to 3 inches wide by at least 6 inches long, trimmed flush to the edges of the panel and placed in the weatherometer with the reflective material facing the light source. After exposure, the panels shall be washed in a 5 percent HCl solution for 45 seconds, rinsed thoroughly with water, blotted with a soft clean cloth, brought to equilibrium at standard conditions and tested as specified in 4-4-9.1 to 4-4-9.2. 4-4-9.3 4-4-9.4 and 4-4-9.5 Prior to testing, the specimens shall be visually examined for evidence of cracking, sealing, pitting, or blistering.

4-4-9.1 Colorfastness: One specimen, exposed and prepared as specified in 4-4-9.1, shall be wet out with a mild detergent and water solution and compared with a similarly treated, unexposed specimen under natural (North sky) daylight or artificial daylight having a color temperature of 7500° Kelvin. The colorfastness shall be evaluated as follows:

Excellent Not perceptible change in color.

Good Perceptible but no appreciable change in color.

Fair Appreciable change in color.

Appreciable change in color means a change that is immediately noticeable in comparing the exposed specimen with the original comparison specimen. If closer inspection or a change of angle of light is required to make apparent a slight change in color, the change is not appreciable.

4-4-9.2 Shrinkage or expansion: Shrinkage or expansion shall be determined by measuring the distance between the edge of the



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reflective material and its closest edge of the panel. One specimen shall be measured on all four edges and any edge which exhibits shrinkage or overlap of more than 1/32 inch (0.08 cm) shall constitute failure with respect to shrinkage or expansion.

4-4-9-3 Retroreflective photometric performance after accelerated weathering. Each specimen exposed and prepared as specified in 4-4-9-7 shall be tested for photometric performance as specified in 4-4-7 except that measurements shall be made only at angles of 0-2° observation and minus 4° and plus 30° entrance. One determination shall be made on each specimen and the reflective intensity shall be the average of the determinations.

4-4-9-4 Retroreflective photometric performance (RPP) during rainfall. After the test in 4-4-9-3, the photometric performance during rainfall shall be determined as follows using the water nozzle and test setup shown in figure 1:

Place the specimens in a upright position 6 inches (15.2 cm) below and 4 inches (10.1 cm) in front of the nozzle as shown in figure 1.

Apply sufficient water pressure so that the upper surface of the spray envelope strikes the top of the specimen.

With water falling on the specimen, measure the SIA values at angles of 0-2° observation and minus 4° entrance only, as specified in 4-4-7, except that the measurement shall be made on each specimen and the RPP during rainfall shall be the average of the three determinations.

4-4-9-5 Adhesion after accelerated weathering. One specimen shall be tested for adhesion after accelerated weathering as follows:

With a test spatula, evenly strike the film with short sharp jabs. Sheeting and adhesive removal of more than 3/16 inch (.48 cm) by a single jab shall constitute failure. The blade of the testing spatula shall be 1 1/2 inch (3.8 cm) long and 9/16 inch (1.4 cm) wide at the square end and sharpened at a 30° angle. Hold the test spatula at a 45° angle to the test panel with the beveled edge down supporting the blade with index finger.

4-4-10 Resistance to heat, cold, and humidity. Resistance to heat, cold, and humidity shall be determined by the procedures in 4-4-10-1, 4-4-10-2, and 4-4-10-3. Three specimens shall be applied to aluminum test panels and one applied specimen shall be subjected to each of the conditions. The length of the test specimen shall be 6 inches (15.2 cm) and the width shall be the full width of the tape up to 3 inches (7.6 cm) wide. Material over 3 inches (7.6 cm) in width shall cut to 3 inches (7.6 cm). After each test, the specimen shall be examined for any evidence of cracking, peeling, chipping, or delamination from the test panel.

4-4-10-1 Resistance to heat. One of the specimens specified in 4-4-10 shall be exposed in an oven at 106° ± 5° F (41° ± 3° C) for 24 hours, conditioned at standard conditions for 2 hours, and then examined as specified in 4-4-10.

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4-4-10-2 Resistance to cold. One of the specimens specified in 4-4-10 shall be exposed to an air temperature of 70° ± 5° F (-5° ± 3° C) for 72 hours, conditioned at standard conditions for 2 hours, and then examined as specified in 4-4-10.

4-4-10-3 Resistance to humidity. One of the specimens specified in 4-4-10 shall be subjected to 100 percent relative humidity at a temperature of 75° ± 0.5° F (23° ± 0.3° C).

4-4-11 Shrinkage. The specimen shall be a 9 by 9 inch (22.9 by 22.9 cm) piece of the reflective material at standard conditions. The liner shall be removed and the specimen shall be placed on a flat surface with the adhesive side up. Ten minutes after liner removal, and again after 24 hours, the dimensions of the specimen shall be measured to determine the amount of shrinkage.

4-4-12 Fungus resistance. Determine the fungus resistance of the reflective material by the following method:

4-4-12-1 Test organism. The test organism used in this test shall be *Aspergillus niger*, ATCC No. 6275, or QM3247, or QM458 (see 6-3). Cultures of this organism shall be carefully maintained on a potato-dextrose agar medium and promptly renewed if there is evidence of contamination. The stock cultures may be kept for not more than 4 months in a refrigerator at a temperature from 3° to 10° C (37.4° to 40.4° F). Subcultures incubated at 20° to 30° C (68° to 86° F) for 10 to 14 days shall be used in preparing the inoculum.

4-4-12-2 Culture medium. The culture medium shall have the following composition:

NaN <sub>3</sub>	3.0 grams
KH <sub>2</sub> PO <sub>4</sub>	1.0 grams
MgSO <sub>4</sub> ·7H <sub>2</sub> O	0.5 gram
NaCl	0.25 gram
Agar	15.0 grams
Distilled water	to make 1700 ml.

The pH shall be 5.5 to 6.5, if otherwise adjust to that range with HCl or NaOH. After mixing the ingredients shall be sterilized by autoclaving for 15 minutes at 15 psi (121° C). Under sterile conditions, the medium shall be poured into six 150 by 20 mm petri dishes, about 65 ml per dish, and allowed to harden.

4-4-12-3 Inoculum. Add about 10 ml of sterile distilled water containing about 0.005 percent of a nontoxic wetting agent to a subculture (10 to 14 days old) of the test organism in a ripe fruiting condition. The spores shall be forced into suspension with a sterile camel's hair brush (for other suitable means) and diluted to 100 ml with sterile distilled water.

4-4-12-4 Preparation of specimens. Cut three 3 by 3 inch (7.6 x 7.6 cm) specimens from the sample and apply to test panels with the reflective surface up. Completely immerse the test specimens in a leaching tank of continuously flowing water for 24 hours and then remove and dry.



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The-leaching-tank-shall-be-large-enough-to-hold-an-amount-of-water weighing-not-less-than-50-times-the-weight-of-the-specimens--the water-entering-the-tank-shall-not-fall-directly-on-the-specimens-and shall-flow-at-a-rate-of-5-to-10-liters-per-hour--The-pH-of-the-water shall-be-in-the-range-of-6.0-to-8.0.

4-4.12-5 Inoculation--Under-aseptic-conditions--dip-each-specimen-in-70 percent-ethanol-for-a-few-seconds--rinse-in-distilled-water-and-place firmly-on-the-surface-of-the-solidified-agar-medium-contained-in-the petri-dishes--place-specimens-with-the-reflective-surface-facing-up--one-specimen-to-each-dish--With-a-sterile-pipette--distribute-1-0-to 1-5-ml-of-inoculum-over-the-surface-of-each-specimen-and-the surrounding-medium.

4-4.12-6 Incubation-period--The-period-of-incubation-shall-be-14-days-at a-temperature-of-29-0-to-32-0-C-(84-2-0-to-89-6-F)-and-85-to-90-percent relative-humidity.

4-4.12-7 Control--Test-three-control-specimens-of-untreated-porous-grade filter-paper-with-the-specimens-of-the-reflective-material-to-check the-viability-of-the-inoculum--At-the-end-of-the-incubation-period--the-controls-should-be-covered-with-fungus-growth.

4-4.12-8 Test-results--Upon-completion-of-the-incubation-period--examine the-specimens-visually-for-fungus-growth--Wipe-the-specimens-with-a soft-cloth-wet-with-a-70-percent-ethanol-solution--Condition-the specimens-at-specimens-at-standard-conditions-for-48-hours--Test-the specimens-in-accordance-with-4-4.7--and-when-finished--attempt-to remove-specimen-from-the-test-panel.

4-4.13 Impact-resistance--Apply-the-sheeting-to-a-standard-aluminum-panel 3-inches-by-6-inches-(7-6-by-15-2-cm)-in-length--Utilizing-the-test instrument-and-procedures-described-in-ASTM-B-2794--subject-the specimen-to-10-inch-pounds-(11-5-cm-kg)-of-forward-impact--(the-panel is-struck-on-the-sheeting-side).

4-4.14 Gloss--Conduct-the-gloss-test-as-specified-in-method-6103-of FED-STD-141--using-specimens-of-the-test-material-applied-to-plane glass-or-metal-or-to-other-suitable-plane-surface.

5- Preparation-for-Delivery

5-1 Packaging--Packaging-shall-be-level-A-or-commercial-as-specified (see-6.2)-5.1.1 Level-A.

5.1.1.1 Sheets--Sheets-of-one-description-only--in-the-quantities specified-(see-6.2)-with-instructions-(see-3.8)--shall-be-packaged-in a-snug-fitting-folding-or-metal-stayed-paperboard-box-or-in-a fiberboard-box--conforming-to-PPP-B-636--class-domestic--style optional--The-boxes-shall-be-closed-and-secured-to-prevent-accidental opening.

5.1.1.2 Rolls--Each-roll-of-sheeting-or-tape-of-one-description-only-- with-instructions-(see-3.8)--shall-be-packaged-in-a-close-fitting-box conforming-to-PPP-B-636--The-boxes-shall-be-closed-in-accordance-with the-appendix-to-PPP-B-636--Rolls-1-inch-or-less-in-width-shall-be packaged-in-a-paperboard-box--The-box-shall-be-securely-closed-to prevent-accidental-opening.

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5-1.2 Commercial--Sheets-and-rolls-of-reflective-material--as-specified in-the-contract-or-order--shall-be-packaged-in-accordance-with-normal commercial-practice--the-complete-package-shall-be-designed-to protect-the-item-against-damage-during-shipment--handling-and-storage.

5-2 Packing--Packing-shall-be-level-A-or-commercial-as-specified-(see 6-2).

5-2.1 Level-A--Sheets-or-rolls-of-reflective-material--of--like description--packaged--as-specified--in-5.1.1--shall-be-packed-in quantities-as-specified-in-the-contract-or-order--in-a-close-fitting box--conforming-to-PPP-B-636--class-weather-resistant--style-optional-- Closure-and-waterproof-sealing-of-the-boxes-shall-be-in-accordance with-the-appendix-to-PPP-B-636--Alternatively--cleated-plywood--wire bound-or-nailed-wood-boxes-shall-be-acceptable--shipping-containers when-lined-with-a-waterproof-barrier-material--the-edges-of-the barrier-material-shall-be-sealed-with-waterproof-tape-or-adhesive.

5-2.2 Commercial--Sheets-and-rolls-of-reflective-material--packaged--as specified--in-5.1.2--shall-be-packed-in-fiberboard-boxes-that-will assure-acceptance-by-common-carrier--and--provide-product-protection against-loss--and--damage--during--multiple--shipments--handling--and storage--The-shipping-container-shall-be-in-compliance-with--the National--Motor--Freight--Classification--and--Uniform--Freight Classification.

5-3 Marking--Marking-shall-be-as-specified-in-the-contact-or-order--(see 6-2).

## 6- Notes

6-1 Intended-user--The-reflective-sheeting-and-tape-are-intended-for-use in-reflectorizing-surfaces-such-as-signs--markers--and--vehicles--to assure-their-visibility--at-night--under-normal-as-well-as-under blackout-conditions--when-exposed-to-a-source-of-light--and--whether dry-or-totally-wet-by-rain.

6-1.1 Application--The-reflective--sheeting--and--tape-are-intended-for application-directly-to-smooth-clean-nonporous-painted-or-unpainted corrosion-and-weather-resistant-surfaces--Also--by-selected-options-- including--class--5-backing--applications-can-be-made-to-corrugated-or riveted-surfaces--fabrics-and-flexible-plastic-surfaces--Application must-be-in-accordance-with-the-reflective-material-manufacturer instructions.

6-1.2 Classes-of-adhesive-backing.

6-1.2.1 Class-1--This-is-a-pressure-sensitive-adhesive-of-the-aggressive tack-type--It-is-designed-to-be-a-permanent-type-and-use-for-general purposes--Under-some-circumstances--it-is-subject-to-premature contact--and--attendant--difficulties--during-application--These difficulties-may-be-counteracted-by-various-ways--such-as-appropriate scoring--of--the--linery--technique--of--placement--wet-method--of application--(dilute-detergent)--and--other--methods--that--may--be furnished-by-suppliers.

6-1.2.2 Class-2--This-is-intended-for-mounting-by-a-heat-vacuum-process e-g--as-in-volume-manufacture-of-signs-and-markers.



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6-1-2-3 Class-3:--This material is intended for use in lieu of--class--17 when--desired:--its--pressure-sensitive--adhesive--is of a type which confers a degree of--position--ability--to--the--material--during--its application--and--prior--to--final--attachment:--The need for this class material--is--generally--governed--by--the--user's--experience--and consideration--of--various--factors:--e.g.7 size and shape of the sign or marker, temperature during applications, skill of worker.

6-1-2-4 Class-4:--This adhesive is intended for use where--application--of the--material--must--be--made--at--lower--temperatures, as designated for this class, at which class-1 will not adhere.

6-2 Ordering data:--Purchasers--should--select--the--preferred--options permitted herein, and include the following information in procurement documents:

- (a) Title, number, and date of this specification.
- (b) Type and class required (see 1-2 and table VIII, if applicable).
- (c) Color required (see table VIII, if applicable).
- (1) Applicable color test method and coordinate limits (see 3-5).
- (d) Appropriate reflectivity (see table VIII, if applicable).
- (e) Durability as applicable (see table VIII).
- (f) Wide entrance angularity, if required (see 3-6-4-1).
- (g) Design and dimensions of sheets (see 3-7-1).
- (h) Width and length of rolls (see 3-7-2).
- (i) Selection of applicable levels of packaging and packing (see 5-1 and 5-2).

AGENCY--NOTE:--Selection of the material to be procured from among the various options in this specification can best be made in a given application by a highway or other engineer experienced in the use of retroreflective materials.

6-3 Fungus test organism:--The organism used in the fungus resistance test (see 4-4-12) may be obtained upon request from the American Type Culture Collection (ATCC), 12301 Parklawn Drive, Rockville, MD 20852, or NEABS Culture Collection of Fungi (QM), Department of Botany, University of Massachusetts, Amherst, MA 01002.

6-4 The attention of suppliers and procuring activities is called to the requirements for qualification as provided in section 3 of this specification--SSA--Reg-1-II-201-03 which provides that solicitations for bids by advertising shall contain, in substance, the following statement:--In the procurement of products requiring qualification bids secured through formal advertising will be considered only for such products as have prior to the bid opening date, been tested and approved for inclusion in the qualified products list whether or not such products have actually been so listed by that date. Manufacturers are urged to communicate with the Chemical Technology Division, Federal Supply Service, General Services Administration, Washington, DC 20406, and arrange to have the product they propose to offer tested for qualification:--(Time may not permit qualification for eligibility under this invitation, but products which qualify

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would be eligible under future invitations.)

6-5 The requirements in section 3 through 5 and notes on ordering data in section 6 of this specification are applicable to table VIII. Each product number represents a product which may be qualified. Table VIII does not include all available products--possible--from the combinations covered by this specification.



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TABLE-VIII--Product-requirements

Product number	Reflectivity	Color	Backing	Durability (hrs)
1	1	White	Class-1	17000
2	1	Gold	Class-1	17000
3	1	Brown	Class-1	17000
4	1	Yellow	Class-1	17000
5	1	Orange	Class-1	17000
6	1	Red	Class-1	17000
7	1	Dark-Red	Class-1	17000
8	1	Green	Class-1	17000
9	1	Blue	Class-1	17000
10	1	White	Class-3	17000
11	1	Yellow	Class-3	17000
12	1	Dark-Red	Class-3	17000
13	1	White	Class-4	17000
14	1	Yellow	Class-4	17000
15	1	Red	Class-4	17000
16	1	White	Class-2	17000
17	1	Gold	Class-2	17000
18	1	Brown	Class-2	17000
19	1	Yellow	Class-2	17000
20	1	Orange	Class-2	17000
21	1	Red	Class-2	17000
22	1	Dark-Red	Class-2	17000
23	1	Green	Class-2	17000
24	1	Blue	Class-2	17000
25	2	White	Class-1	27200
26	2	Yellow	Class-1	27200
27	2	Orange	Class-1	500
28	2	Red	Class-1	27200
29	2	Green	Class-1	27200
30	2	Blue	Class-1	27200
31	4	White	Class-1	250
32	4	Yellow	Class-1	250
33	4	Orange	Class-1	250
34	4	Red	Class-1	250
35	4	White	Class-5	250
36	4	Yellow	Class-5	250
37	4	Orange	Class-5	250
38	4	Red	Class-5	250



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Military-custodian:

Army---65

Navy---AS

Air-Force---99

Preparing-activity:

GSA---PSS

Civil-Agency-Coordinating-Activities:

Review-activities:

Army---MB7-MI

Navy---EG

User-activities:

DOT-PHW

USBA-FS

Army---MB7-AY-EB7-Bb

Navy---MC

(Source: Repealed at 25 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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FIGURE-1:-Test-set-up-for-rainfall-test

(source-and-photoreceptor-in-horizontal-plane)

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1) Heading of the Part: Standardbred, Thoroughbred and Quarter Horse Breeding and Racing Programs, Illinois

2) Code Citation: 8 Ill. Adm. Code 290

3) Section Numbers: Adopted Action:

290.10	Amend
290.12	Add
290.15	Amend
290.20	Amend
290.50	Amend
290.55	Amend
290.60	Amend
290.65	Amend
290.67	Add
290.70	Repeal
290.75	Amend
290.77	Add
290.78	Add
290.80	Repeal
290.85	Amend
290.90	Amend
290.95	Amend
290.100	Repeal
290.105	Amend
290.110	Amend
290.150	Amend
290.155	Amend
290.160	Amend
290.165	Amend
290.170	Repeal
290.175	Amend
290.177	Add
290.178	Add
290.180	Repeal
290.185	Amend
290.190	Amend
290.195	Amend
290.200	Amend
290.205	Repeal
290.210	Amend
290.215	Amend
290.220	Add
290.225	Add
290.230	Add
290.235	Add
290.240	Add
290.245	Add

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290.250	Add
290.255	Add
290.260	Add
290.265	Add
290.270	Add
290.275	Add
290.280	Add

4) Statutory Authority: 230 ILCS 5/30, 30.5 and 31

5) Effective Date of Rulemaking: June 8, 2001

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: January 12, 2001; 25 Ill. Reg. 300

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: Nonsubstantive editorial corrections have been made.

In Section 290.10, "Purpose" is defined and added to "Definitions".

In Section 190.10, the definition of "Filed" has been deleted.

In Section 290.10, definitions have been added for "Lessee" and "Timely Filed".

The word "Racing" has been inserted before all references to "Quarter Horse".

All references to "locations" have been changed to "venues".

In Sections 290.55, 290.155 and 290.225, subparagraph "b)" regarding "Application for stallion certification..." has been added.

In Section 290.67 and 290.240, "in a timely manner" has been changed to "within 10 days after insemination".

In Section 290.75, 290.175 and 290.245, the phrase "leaves the state" has been changed to "is moved".



## DEPARTMENT OF AGRICULTURE

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In Section 290.85, subparagraph "c)" regarding "Foals produced by embryo transfer procedures..." has been added.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

Standardbred

Updates language to current terminology and removes unnecessary and repeated language.

Clarifies renewal applications vs. new ownership for stallion certification.

Brings rules into agreement with statute concerning monetary penalties for late submission.

Clarifies requirements for notification to Department of sale or transfer of ownership of certified stallions and stallions leaving the State.

Removes outdated Sections related to horses conceived and foaled prior to effective date of law.

Removes the restriction for funding of harness racing at county and State Fairs only.

Includes Du Quoin State Fair as eligible to receive purse funds for harness racing from the Illinois Standardbred Breeder's Fund.

Thoroughbred

Updates language to current terminology and removes unnecessary and repeated language.

Clarifies renewal applications vs. new ownership for stallion certification.

Brings rules into agreement with statute concerning monetary penalties for late submission.

Clarifies requirements for notification to the Department of sale or transfer of ownership of certified stallions and stallions leaving the

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

## State.

Removes outdated Sections related to horses conceived and foaled prior to effective date of law.

Clarifies qualifications for eligibility to the Early Arrival, New Purchase and Breed-back foaled only programs and brings them into agreement with the statute.

Brings rules into agreement with statute concerning stallion owners awards and racing at county fairs.

Quarter Horse

Establishes rules relating to the Illinois Racing Quarter Horse Breeder's Program.

Definitions of the following terms: Administrator, Breeder, Conceived, Department, Director, Filed, Foaled, Illinois Resident, Investigator, Quarter Horse, Standardbred Horse and Thoroughbred Horse.

Defines use of trust accounts to hold and disburse money.

Distribution of monies appropriated for the Quarter Horse Breeders Fund Program.

Stallion certification requirements and procedures, information required on applications and application deadlines.

Stallion breeding records, information required on applications and application deadlines.

Requirements for foal eligibility when transported fresh semen is used.

Foal eligibility requirements and procedures, information requirements for application and application deadlines

Eligibility requirements for horses foaled prior to the effective date of the legislation which created the Quarter Horse Breeders Fund Program.

County fair and State Fair quarter horse racing conditions.

Payment and disbursement of nominating, sustaining and starting fees for races sponsored by the Department of Agriculture.

16) Information and questions regarding these adopted amendments shall be directed to: Linda Rhodes  
Illinois Department of Agriculture 217/785-5713

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State Fairgrounds

Springfield, IL 62794-9281

Fax: 217/785-4505

The full text of the adopted amendments begins on the next page:

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TITLE 8: AGRICULTURE AND ANIMALS

CHAPTER I: DEPARTMENT OF AGRICULTURE

SUBCHAPTER 1: HORSE RACING AND BREEDING

## PART 290

STANDARDBREDED, AND THOROUGHBRED AND QUARTER HORSE BREEDING AND RACING PROGRAMS, ILLINOIS

SUBPART A: RULES RELATING TO BOTH-THE  
ILLINOIS STANDARDBREDED, AND THOROUGHBRED AND QUARTER  
HORSE BREEDING AND RACING PROGRAMS

## Section

290.10 Purpose and Definitions

290.12 Incorporation by Reference

290.15 Trust Funds; Nominating, Sustaining and Entry Fees Starting-Funds290.20 Operating Plan and Official Budget Schedule-A; Standardbred, and

Thoroughbred and Racing Quarter Horse Breeders Fund Programs and

Monies Distribution Schedule

## SUBPART B: STANDARDBREDED DIVISION

## Section

290.50 Stallion Certification Qualification Requirements

290.55 Certification of Stallion for First Time or Under New Ownership

Before Offering Service Application-for-offering-or-standing-stallionfor-service290.60 Renewal Application for Offering or Standing Stallion for Service NewOwner-of-a-stallion-shall-qualify-stallion-before-offering-service

290.65 Breeding Record of Stallion -- Record List of Mares Bred

290.67 Requirements for Transported Fresh Semen of a Certified Stallion

290.70 Stallion Siring Foal Must Qualify In Order For Foal to be Eligible

for Registration as an Illinois Conceived and Foaled Horse (Repealed)

290.75 Notification to--the--Department if Certified licensed Stallion isMoved leaves-the-state

290.77 Notification of Sale or Transfer of Ownership of Certified Stallion

290.78 Stallion Eligibility Certificate

290.80 Stallion Qualification Procedures (Repealed)

290.85 Qualifications for Illinois Conceived and Foaled Standardbred Horses

290.90 Certification-and Registration for Illinois Conceived and Foaled

Horses

290.95 Standardbred Breeders Awards

290.100 Grandfather Rights of Standardbred Horses Registered Under the

Illinois Harness Racing Act (Repealed)

290.105 Standardbred Racing at County Fairs or Other Venues

290.110 Illinois Conceived and Foaled Standardbred Races at the Illinois

State Fair and Du Quoin State Fair



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## SUBPART C: THOROUGHBRED DIVISION

- Section  
290.150 Stallion Certification ~~Qualification~~ Requirements  
290.155 Certification of Stallion for First Time or Under New Ownership  
Before Offering Service ~~Application-for-offering-or-standing-stallion-for-service~~  
290.160 Renewal Application for Offering or Standing Stallion for Service ~~New Owner-of-a-stallion-shall-qualify-stallion-before-offering-service~~  
290.165 Breeding Record of Stallion -- Record Report of Mares Bred  
290.170 Stallion Siring Foal Must Qualify In Order For Foal to be Eligible for Registration as an Illinois Conceived and Foaled Horse (Repealed)  
290.175 Notification ~~to-the-department~~ if Certified ~~Licensed~~ Stallion is Moved ~~leaves-the-state~~  
290.177 Notification of Sale or Transfer of Ownership of Certified Stallion  
290.178 Stallion Eligibility Certificate  
290.180 Stallion Qualification Procedures (Repealed)  
290.185 Qualifications for Illinois Conceived and Foaled Thoroughbred Horses  
290.190 Certification--and Registration for Illinois Conceived and Foaled Horses  
290.195 Qualifications for Illinois Foaled Thoroughbred Horses  
290.200 Certification--and Registration for Illinois Foaled Thoroughbred Horses  
290.205 Grandfather Rights of Thoroughbred Horses Registered Under the Illinois Horse Racing Act (Repealed)  
290.210 Thoroughbred Stallion Owners Awards  
290.215 Illinois Conceived and Foaled Thoroughbred Racing at Races; County Fairs

## SUBPART D: QUARTER HORSE DIVISION

- Section  
290.220 Stallion Certification Requirements  
290.225 Certification of Stallion for First Time or Under New Ownership  
Before Offering Service  
290.230 Renewal Application for Offering or Standing Stallion for Service  
290.235 Breeding Record of Stallion -- Record of Mares Bred  
290.240 Requirements for Transported Fresh Semen of a Certified Stallion  
290.245 Notification if Certified Stallion is Moved  
290.250 Notification of Sale or Transfer of Ownership of Certified Stallion  
290.255 Stallion Eligibility Certificate  
290.260 Qualifications for Illinois Conceived and Foaled Quarter Horses  
290.265 Registration for Illinois Conceived and Foaled Horses  
290.270 Quarter Horse Racing at County Fairs or Other Locations  
290.275 Illinois Conceived and Foaled Quarter Horse Races at the Illinois State Fair and Du Quoin State Fair  
290.280 Quarter Horse Racing at Illinois Pari-mutuel Racetracks

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AUTHORITY: Implementing and authorized by Sections 30, 30.5 and 31 of the Illinois Horse Racing Act of 1975 [230 ILCS 5/30, 30.5 and 31].

SOURCE: Rules and Regulations Relating to the Illinois Standardbred and Thoroughbred Horse Breeding and Racing Programs, filed October 13, 1976, effective October 23, 1976; filed December 21, 1977, effective January 1, 1978; 3 Ill. Reg. 26, page 164, effective June 28, 1979; 4 Ill. Reg. 25, page 88, effective June 4, 1980; codified at 5 Ill. Reg. 10544; amended at 12 Ill. Reg. 14515, effective September 6, 1988; amended at 15 Ill. Reg. 5207, effective April 10, 1991; amended at 25 Ill. Reg. 7070, effective JUN 08 2001.

SUBPART A: RULES RELATING TO BOTH-THE  
ILLINOIS STANDARDBRED, AND THOROUGHBRED AND QUARTER  
HORSE BREEDING AND RACING PROGRAMS

## Section 290.10 Purpose and Definitions

## a) Purpose

The purpose of this Part is to establish the standards the Department of Agriculture will use in determining that a foal qualifies as an Illinois conceived and foaled standardbred, thoroughbred or quarter horse or Illinois foaled thoroughbred for the purpose of eligibility for races with purses supplemented through Standardbred, Thoroughbred and Racing Quarter Horse Breeders Fund Programs.

## b) Definitions

As used in this Part these rules, unless otherwise required by the context, the singular form shall also impart the plural and vice versa, and the following terms shall be construed respectively to mean:

"Administrator" means an employee of the Department responsible for the administration of the Illinois Standardbred Breeders Program, and the Illinois Thoroughbred Breeders Program and Illinois Quarter Horse Breeders Program.

"Bred"---A horse is bred at the place of mating of sire and dam.

"Breeder" - In the Standardbred Breeders Program and the Quarter Horse Breeders Program, "breeder" means the owners of the mare (dam) at the time of conception. In the Thoroughbred Breeders Program, "breeder" means the owners of the mare (dam) at the time of foaling. "Breeder" means the owner of the mare (dam) at the time of foaling as far as the Thoroughbred Breeders Program is concerned; in the Standardbred Breeders Program, "breeder" means the owner of the mare (dam) at the time of conception.

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"Conceived" - A horse is conceived at the place where the mare (dam) is bred.

"Department" or "Department of Agriculture" means the Department of Agriculture of the State of Illinois.

"Director" means the Director of the Department of Agriculture of the State of Illinois.

"Foaled" -- A horse is foaled at its place of birth.

"Horse's Age" ---The age of a horse is reckoned as beginning on the first day of January of the year in which he was foaled. Standardbreds are subject to the United States Trotting Association's modified early foaling rule.

"Illinois resident" means:

An individual who is physically present in the State of Illinois with the intention to remain and is considered to be a resident by the Illinois Department of Revenue or Illinois Secretary of State. b)

A partnership, joint venture, limited partnership, limited liability company or other syndicate or association shall qualify as an Illinois resident provided all of the individual members and/or beneficiaries qualify individually as residents of the State of Illinois. The Articles of Agreement of any one of these types of entities must contain a restriction that provides that the ownership or transfer of interest by any one of the persons a party to the agreement can only be made to a person who qualifies as an Illinois resident. c)-f)

In regard to the Standardbred Program: A corporation shall be considered an Illinois resident if: A)

it is incorporated in Illinois, B)

all incorporators, directors, officers, and stockholders qualify individually as residents of the State of Illinois, and e)

the bylaws and stock certificates of the corporation must contain a restrictive stock transfer agreement that provides for the ownership or transfer of the stock only to persons who qualify as an Illinois resident. 2)-in-regard-to-the thoroughbred program: A corporation shall be considered an Illinois resident if: A)-it is incorporated in Illinois and

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B)-it has been incorporated in the State of Illinois for 12 months.

"Investigator" means an employee of the Department who is authorized to conduct investigations for the Department relative to those Sections sections of the Horse Racing Act of 1975 which are under the jurisdiction of the Department of Agriculture and such other duties as assigned by the Director.

"Lessee", for the purposes of Subpart B, means a resident of the State of Illinois who contracts with an Illinois resident who owns a certified stallion (see Sections 290.55 and 290.60) to stand that stallion within the State of Illinois. For purposes of Subparts C and D, a lessee and owner are not required to be Illinois residents.

"Nominator"--means--the--person--in--whose--name--a--horse--is--entered--for--a race:

"Standardbred horse" means a horse registered or eligible to be registered by the United States Trotting Association.

"Thoroughbred horse" means a horse registered or eligible to be registered by the Jockey Club.

"Timely filed" - All official documents, reports or similar forms are considered to be timely filed if they are either delivered to the Department on or before the date due or postmarked on or before the date due.

"Quarter horse" means a horse registered or eligible to be registered by the American Quarter Horse Association.

(Source: ~~Amended~~ at 25 Ill. Reg. ~~7679~~, effective

## Section 290.12 Incorporation by Reference

The rules of the American Quarter Horse Association (P.O. Box 200, Amarillo TX 79168; 2000) and the United States Trotting Association (750 Michigan Avenue, Columbus OH 43215; 1990) are incorporated by reference in this Part and do not include any later amendments or editions beyond the date specified.

(Source: ~~Added~~ at 25 Ill. Reg. ~~7679~~, effective

Section 290.15 Trust Funds; Nominating, Sustaining and Entry Fees Starting Funds



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- a) All-nominating,--sustaining-and-starting-fees-for-races-promoted-by-the Department--as--set--forth-in-Schedule-A--(see-8-111-Adm--Code-Section 290-20)--shall-be-paid-for-each-horse-nominated--for--a--race--to--the Department-of-Agriculture-by-the-date-set-for-each-type-payment:
- ab) The sum of all payments made by an entrant to a race shall not exceed 2 percent of the total purse being awarded for the such race.
- bc) Trust accounts shall be established by the Department Administrator as authorized by the Horse Racing Act of 1975 and Section 205-15 40-7 of the Civil Administrative Code [20 ILCS 205/205-15] to receive, hold and disburse monies derived from entrants payments.
- cd) Trust funds held by the Department shall be invested in interest bearing accounts and the interest accrued from those such investments shall be used for the benefit of the entrants.
- de) All nominating, sustaining and entry starting fee payments shall be paid as a part of the respective purse for the such race.

(Source: Amended at 25 Ill. Reg. 7679-3, effective JUN 18 2001)

**Section 290.20 Operating Plan and Official Budget Schedule--A; Standardbred, and Thoroughbred and Racing Quarter Horse Breeders Fund Programs and Monies Distribution Schedule**

a) The Department shall prepare for each fiscal year operating plans and official budgets a-program to encourage the breeding and racing in the State of standardbred, and thoroughbred and quarter horses and shall provide for the distribution of monies appropriated for the Standardbred, and Thoroughbred and Racing Quarter Horse Breeders Fund Programs.

- b) This--schedule--including-addenda-or-amendments--shall-be-the-official program-and-monies-distribution--schedule--for--the--Standardbred--and Thoroughbred--Breeders--Fund-Programs--The-schedule-shall-be-referred to-as--"Schedule-A"--and--shall-be-kept-on-file-in-the-Department-

(Source: Amended at 25 Ill. Reg. 7679-3, effective JUN 18 2001)

## SUBPART B: STANDARDRED DIVISION

**Section 290.50 Stallion Certification Qualification Requirements**

- a) All standardbred stallions standing for service in Illinois must be certified registered annually with the Department for foals of the such stallions to be eligible--to--be registered in the Illinois Standardbred Breeders Fund Program and to be eligible to race in races restricted limited to Illinois conceived conceived and foaled horses foaled-horses.
- b) No person shall knowingly prepare or cause to be prepared an application for certification registration containing false

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information. Any false information shall be grounds for denying an Illinois Stallion Eligibility Certificate and/or cancellation of an Illinois Stallion Eligibility Certificate.

- c) No stallion can be certified registered as an Illinois stallion by a person who does not meet the residency requirement as set forth in Section 290.10 the-Act. To-qualify-a-stallion-for-Illinois-Coit--Stake Breeding: To be certified as an Illinois stallion:

- 1) the such stallion shall be owned by a resident of the State of Illinois and stand standing for service at-and within the State of Illinois at the time of a foal's coit's conception; and
- 2) the such stallion must not stand for service at any place outside of the State of Illinois during the that calendar year in which the foal coit is conceived; and
- 3) that the owners owner of the stallion must be, or must have been was for the 12 months prior, residents a-resident of Illinois.

- d) Semen from an Illinois certified stallion may be shipped for immediate use to other locations within the State, but cannot be shipped to locations outside the State of Illinois during the calendar year for which the stallion is certified.

(Source: Amended at 25 Ill. Reg. 7679-3, effective JUN 18 2001)

**Section 290.55 Certification of Stallion for First Time or Under New Ownership Before Offering Service Application--for--Offering--or--Standing--Stallion--for Service**

- a) In order for a stallion's foal to be registered as Illinois conceived and foaled, any person who desires to stand the stallion for service shall, before standing or offering the stallion for service, certify the stallion with the Department and comply with this Subpart. Certification applies only to the owners at the time of application. If a certified stallion is sold to new owners, the stallion is no longer eligible for the program unless re-certified by the new owners.
- b) Application for stallion certification shall be on a form provided by the Department, giving the following information:

- 1) The name of the stallion.
- 2) The names and addresses of the stallion owners.
- 3) The names and addresses of lessees (if any).
- 4) The sire and dam of the stallion.
- 5) The place where the stallion will stand for service during the year for which the application is made.
- 6) That the stallion is and will be owned by a resident of Illinois, and will be standing for service within the State of Illinois, and will not stand for service at any place outside the State of Illinois during the calendar year for which the application is being made; and that the owners of the stallion were, for the 12 months prior, residents of the State of Illinois.



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7) Details concerning right of ownership, such as contracts or other documents, must show any agreements concerning breeding rights, repurchase agreements, and other types of concessions.

Every person offering or standing any stallion for service shall, before January 1 of every year in which such service will be offered, file with the Department a written application on forms provided by the Department, giving the following information:

- a) The name of the stallion;
- b) The sire and dam of the stallion;
- c) The place or places where the stallion stood for service during the previous year (if applicable);
- d) The place where the stallion will stand for service during the year for which the application is made;
- e) That the stallion is and will be owned by a resident of Illinois, and will be standing for service at and within the State of Illinois, and that such stallion will not stand for service at any place outside the State of Illinois during the calendar year, and that the owner of the stallion was for the twelve months prior a resident of the State of Illinois;
- f) Details concerning right of ownership, such as a bill of sale, purchase price, contract or other document providing proof of ownership which must show any agreements concerning breeding rights, repurchase agreements, and other types of concessions.

(Source: Amended at 25 Ill. Reg. 7679-2, effective 08/01/00)

### Section 290.60 Renewal Application for Offering or Standing Stallion for Service New Owner of a Stallion Shall Qualify Stallion Before Offering Service

a) In order for a stallion's foal to be registered as Illinois conceived and foaled, a person offering or standing the stallion for service shall, before January 1 of every year in which the service will be offered, timely file with the Department a written application, on forms provided by the Department, giving the following information:

- 1) The name of the stallion.
- 2) The names and addresses of the stallion owners.
- 3) The names and addresses of lessees (if any).
- 4) The sire and dam of the stallion.
- 5) The places where the stallion stood for service during the previous year (if different than in the renewal year).
- 6) The place where the stallion will stand for service during the year for which the application is made.
- 7) That the stallion is and will be owned by a resident of Illinois, and will be standing for service within the State of Illinois, and will not stand for service at any place outside the State of Illinois during the calendar year for which application is being made; and that the owners of the stallion were, for the 12 months

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prior, residents of the State of Illinois.

8) Details concerning right of ownership, such as contracts or other documents, must show any agreements concerning breeding rights, repurchase agreements, and other types of concessions.

b) The Department shall impose monetary penalties, in accordance with 230 ILCS 5/40, for late filing of a renewal application for offering or standing stallion for service.

Any person who becomes the owner of a stallion after January 1 of any year and desires to stand such stallion for service shall, before standing or offering the stallion for service during the year in which acquired, qualify the stallion with the Department and comply with all rules as provided.

(Source: Amended at 25 Ill. Reg. 7679-3, effective 08/01/00)

### Section 290.65 Breeding Record of Stallion -- Record Bist of Mares Bred

a) In order for a stallion's foal to be registered as Illinois conceived and foaled, a Every person offering or standing the any stallion for service shall maintain a complete breeding record of the stallion and all mares bred to that such stallion, including:

- 1) the name of the mare,
- 2) the dam and sire of the mare,
- 3) the names name and addresses address, including zip code, of the owner or owners of the mare,
- 34) the first and last dates on which the stallion was bred to the mare,
- 4) if the mare was inseminated by transported semen, any and all dates semen was shipped,
- 5) if the mare was pasture bred, first and last possible breeding dates.
- 5) the place where the stallion was standing for service at the time of such breeding, and
- 6) the person or persons who were in charge of the stallion at the time of such service.

b) A copy of the fully completed Record United States Prototyping Association Bist of Mares Bred, which is required for submission by September 1 of each year must be filed with also submitted to the Department by September 1 of each year. For mares bred after September 1, immediate notification to the Department is required.

c) The Department shall impose monetary penalties, in accordance with 230 ILCS 5/40, for incomplete and/or late filing of the Record of Mares Bred.

(Source: Amended at 25 Ill. Reg. 7679, effective 08/01/00)

### Section 290.67 Requirements for Transported Fresh Semen of a Certified



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- a) The Department must receive notification of transfer of ownership of a certified stallion within 10 days after the sale or transfer.
- b) If the new owners are Illinois residents and desire to certify the stallion for eligibility of its foal in the Illinois Standardbred Breeders Fund Program, the owners or their authorized representative shall, before standing or offering the stallion for service, file an Application for Stallion Certification on forms provided by the Department.
- c) If the stallion is transferred to someone other than an Illinois resident, and the stallion had previously serviced mares during that calendar year, the stallion may not be used for breeding purposes outside the State of Illinois during the remainder of the calendar year for which the stallion was certified as an Illinois stallion.
- (Source: Added at 25 Ill. Reg. 7679-3, effective JUN 18 2001)

Section 290.78 Stallion Eligibility Certificate

- a) Certified stallions must be identified at the reported standing location by a Department investigator.
- b) Upon certification of a stallion by the Department, an Illinois Stallion Eligibility Certificate shall be issued and will be delivered to the reported standing location.
- (Source: Added at 25 Ill. Reg. 7679-3, effective JUN 18 2001)

Section 290.80 Stallion Qualification Procedures (Repealed)

Stallion Qualification Procedures:

- a) To qualify a stallion, the owner is required to complete an annual Application for Stallion Registration and forward it to the Illinois Department of Agriculture, State Fairgrounds, Springfield, Illinois 62706.
- b) The issuance of an Illinois Stallion Eligibility Certificate by the Department is contingent on the stallion being inspected and identified by a Department investigator.
- c) In the event of a sale or transfer of ownership of a standardbred stallion qualified with the Department, the transfer of ownership shall be executed on the back of the Illinois Stallion Eligibility Certificate for such stallion and the endorsed Certificate forwarded to the Department.
- d) If the new owner is an Illinois resident and desires to qualify the stallion for eligibility in the Illinois Standardbred Breeders Fund Program, then the owner must submit an application for a Stallion Eligibility Certificate accompanied by a copy of the Bill of Sale or other legal document of transfer of ownership and meet the

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- a) Semen from an Illinois-certified stallion may be transported within the State for the purpose of inseminating a mare or mares within the State but cannot be transported outside the State.
- b) The mare owners or their authorized representative must file a Transported Fresh Semen Report with the Department, within 10 days after insemination, indicating the insemination dates, the insemination site, a description of the mare, the ownership of the mare, and the name of the person who performed the insemination. Subsequent inseminations utilizing transported fresh semen must be reported as required by this subsection.
- c) The mare must be in the State at the time of conception, and such fact will be verified by a Department employee.
- d) The stallion owners or their authorized representative must indicate on the Record of Mares Bred (see Section 290.65) all mares artificially inseminated with transported fresh semen.
- (Source: Added at 25 Ill. Reg. 7679-3, effective JUN 18 2001)

Section 290.70 Stallion Siring Foal Must Qualify In Order For Foal to be Eligible for Registration as an Illinois Conceived and Foaled Horse (Repealed)

No foal shall be eligible for registration as an Illinois Conceived and Foaled Horse under the provisions of the Illinois Standardbred Breeders Fund Program unless at the time of such conception the owner of the stallion string such foal has met the requirements of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979 Ch. 8, par. 37-31) and the rules relating to the qualification of such stallion (8 Ill. Adm. Code 290).

- (Source: Repealed at 25 Ill. Reg. 7679-3, effective JUN 18 2001)

Section 290.75 Notification to the Department if Certified Licensed Stallion is Moved Leaves the State

The owners owner or their his authorized representative must give immediate notification to the Department if the stallion leaves the location State in the year for which where he is certified licensed. The stallion may not be used for breeding purposes outside the State of Illinois during the calendar year for which certified.

- (Source: Amended at 25 Ill. Reg. 7679-3, effective JUN 18 2001)

Section 290.77 Notification of Sale or Transfer of Ownership of Certified Stallion



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requirements-of-8-111-Adm-Code-Section-290-60-

e) Display-of-111-111-Station-Eligibility-Certificate--An-111-111-Station-Eligibility-Certificate-for-each-qualified-station-must-be displayed-in-a-conspicuous-place-on-the-premises-in-which-the-station is-stabled-

(Source: Repealed at 25 Ill. Reg. 7679, effective 11/1/79)

Section 290.85 Qualifications for Illinois Conceived and Foaled Standardbred Horses

A horse, to be qualified for the Illinois Standardbred Breeders Fund Program and for races restricted limited to Illinois conceived conceived and foaled horses, Foaled Horses must meet the following requirements:

- a) An Illinois conceived and foaled horse is a foal born in this State and sired by a certified Illinois stallion standing for service within this State at the time of the foal's conception; and
- a) The owner-of-the-mare-(dam)-must-complete-and-return-the-Mare-Status Report-to-the-Department-at-least-30-days-before-the-anticipated-date of-foaling;
- b) The-Mare-Status-Report-must-indicate-the-place-where-the-mare-will foal-in-this-State-and-the-person-who-will-be-responsible-for-the-mare at-the-time-of-foaling;
- bc) A mare (dam) of an Illinois conceived and foaled horse must be in the State a total of at-least 30 consecutive days that includes the foaling date.

c) Foals produced by embryo transfer procedures will be eligible for the program provided the conception of the donor mare occurred within the State, the birth of the foal occurred within the State, the owners of the mare or their authorized representative provide all information concerning markings, identity and location of the recipient mare, and all applicable requirements of the United States Trotting Association are met. Prior-to-foaling-and/or-remain-in-the-State-at-least-30-days at-the-time-of-foaling-and-must-meet-the-following-statutory requirements:

An-Illinois-conceived-and-foaled-horse-is-a-foal-dropped-in this-State-from-a-mare-in-this-State-and-sired-by-a-qualified Illinois-stallion-standing-for-service-at-and-within-this-State at-the-time-of-such-foal's-conception-which-stallion-did-not stand-for-service-at-any-place-outside-this-State-during-the calendar-year-in-which-such-foal-was-conceived.\*

d) The-Mare-Status-Report-must-indicate-if-mare-is-to-be-bred-back-to-an Illinois-stallion-or-to-a-stallion-standing-at-service-outside-the State-of-Illinois-

\*Quoted-from-111-Rev-Stat-1979-Ch-87-para-37-30-

(Source: Amended at 25 Ill. Reg. 7679, effective 11/1/79)

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Section 290.90 Certification--and Registration for Illinois Conceived and Foaled Horses

- a) An application for foal registration a-Poal-Eligibility-Certificate for an Illinois conceived conceived and foaled Foaled standardbred Standardbred foal Poal must be filed with the Department within 10 days after foaling. The Such application shall be made on forms provided by the Department. The forms shall be completed by the owners owner of the foal or their his authorized representative and that such person shall provide all the information required. 1) The mare-and foal must remain in the State until it has they-have been inspected, identified by a Department representative or until written notice that the foal application has been accepted and the foal registration is issued by the Department. and-certified-by-a-Department-investigator- If-the-mare-is-to-be-bred-to-a-station-standing-for-service-outside the-State-of-Illinois-then-the-owner-or-his-authorized-representative shall-immediately-after-birth-of-a-foal-notify-the-Department-and request-that-the-foal-be-inspected-identified-and-certified-by-a-Department-investigator-
- 2) When-the-foal-has-been-certified-by-a-Department-investigator-the mare-and-foal-may-leave-the-State-
- b) Procedures for Registration of Illinois Conceived and Foaled Standardbreds.

1) The owners owner of the foal, or their authorized representative, shall complete an application for foal registration a-Poal Eligibility-Certificate showing the name of the brood mare (dam), the name of the sire, the date and location of foaling, and the color, the sex and markings of the foal. 7-and-such-other information-required-by-the-Department-concerning-the-foal-

2) If the foal has met all the requirements for registration, a the Department-may-issue-an-official Foal Eligibility Registration Certificate will be issued. for-such-foal-

A) The-Poal-Eligibility-Certificate-shall-be-the-official registration-for-such-Illinois-Conceived-and-Foaled Standardbred-Horse-

B) If-the-original-Poal-Eligibility-Certificate-is-lost-or destroyed-the-owner-may-make-application-to-the-Department for-a-duplicate-Poal-Eligibility-Certificate-for-such-horse- E) The-Department-may-issue-a-duplicate-Poal-Eligibility Certificate-for-such-horse-if-all-requirements-are-met-

3) In the event of a sale or transfer of ownership of a standardbred foal registered with the Department, the transfer of ownership shall be executed on the front back of the Foal Eligibility Registration Certificate for the such foal and the endorsed certificate Certificate forwarded to the Department. A new certificate Certificate will be issued to the new owners owner.



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Section 290.100 Grandfather Rights of Standardbred Horses Registered Under the Illinois Harness Racing Act (Repealed)

Illinois-Conceived-and-Foaled-Standardbred-Horses-that-were-properly-registered under-the-provisions-of-the-Illinois-Harness-Racing-Act-as-amended, will-be eligible-to-participate-in-the-Illinois-Standardbred-Breeders-Fund-Program-and other-programs-pursuant-to-the-Illinois-Horse-Racing-Act-of-1975-(Ill.-Rev. Stat.-1979-Ch.-87-par.-37-31)-

7679

(Source: Repealed at 25 Ill. Reg. , effective JUN 18 2000)

Section 290.105 Standardbred Racing at County Fairs or Other Venues Locations

a) A county fair or other venue in-cooperation-with-a-Standardbred-Colt Association-or-as-an-individual-county-fair, upon approval of the Department, may conduct harness races with for-two-and-three-year-old Illinois conceived Conceived and foaled Foaled Standardbred Standardbred purse supplements Horses in compliance with the conditions hereafter set forth in this Section, and-in accordance-with such-other-conditions-as-deemed-necessary-from-time-to-time-by-the Department-A colt-association-to-be-qualified-to-conduct-races-in-the Illinois-Standardbred-Breeders-Fund-Program-shall-be-restricted-to conducting-races-at-county-fairs-and-the-Illinois-State-Fair-and-for Illinois-Conceived-and-Foaled-Horses-only-

b) 1) A colt-association-or-individual-county-fair-must-mail-to-the Department-and-all-owners-of-entries-a-complete-list-of-all eligible-horses-within-30-days-after-the-nominating-and sustaining-payments-dates.  
2) This-list-will-be-printed-on-standard-8-1/2"x-11"-paper-and shall-list-the-owners-alphabetically-Horses-shall-be-listed under-the-appropriate-age-racer-and-gait-The list-shall-also indicate-the-sex-of-the-horse-and-the-fair(s)-to-which-the-horse is-nominated.  
c) Any-other-conditions-or-payments-not-provided-for-in-these-rules-must have-approval-of-the-Department.  
bd) The president and secretary, or his/her authorized representative, of the racing event of-each-qualified-colt-association-or-individual county-fair claiming benefits of any distribution from the Illinois Standardbred Breeders Fund shall file with the Department, within 7 days after the last racing day of-a-county-fair, a document an affidavit stating that-Department-rules-have-been-complied-with the amount of purses contributed by the county fair or other venue, the names and addresses of those owners who received Illinois Standardbred Breeders Fund purse money and the amount each horse owner received. a-statement-to-the-effect-that-all-of-the-horses-entered-in-the-races were-nominated-in-the-Illinois-Standardbred-Breeders-Fund-Program-as

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c) The Department shall impose monetary penalties, in accordance with 230 ILCS 5/40, for the late filing of an application for foal registration.

c) All-Illinois-Conceived-and-Foaled-Standardbreds-foaled-prior-to-the effective-date-of-the-Illinois-Horse-Racing-Act-of-1975-(Ill.-Rev. Stat.-1979-Ch.-87-par.-37-31)-who-had-birth-certificates-filed-with the-State-Fair-Agency-and-who-were-inspected-identified-and-certified by-the-State-Fair-Agency-Colt-Stake-investigator-may-be-issued-a-Foal Eligibility-Certificate-for-Illinois-Conceived-and-Foaled-Standardbred Horses-

d) In-the-case-of-a-standardbred-horse-that-was-conceived-and-foaled-in Illinois-but-for-whom-a-birth-certificate-and/or-an-application-for certification-was-not-filed-with-the-State-Fair-Agency-the-present owner-may-make-application-to-the-Department-for-registration-of-such horse-The-applicant-shall-meet-all-the-requirements-as-set-forth-in these-rules-concerning-the-registration-of-an-Illinois-Conceived-and Foaled-Standardbred-Horse-and-in-addition-must-provide-evidence-to-the Department-and-its-investigators-to-assure-that-the-horse-qualifies for-registration-as-an-Illinois-Conceived-and-Foaled-Standardbred Horse-

e) A-standardbred-horse-born-prior-to-January-17-1976-in-order-to-be registered-as-an-Illinois-Conceived-and-Foaled-Standardbred-Horse-must be-registered-by-the-Department-by-January-17-1977-

f) A-foal-that-was-conceived-in-Illinois-prior-to-January-17-1976-whose sire-was-duly-registered-under-the-requirements-of-the-Illinois Harness-Racing-Act-as-amended-and-the-rules-of-the-State-Fair-Agency and-was-foaled-in-Illinois-after-January-17-1976-may-be-upon application-for-registration-under-the-Illinois-Horse-Racing-Act-of 1975-(Ill.-Rev.-Stat.-1979-Ch.-87-par.-37-31)-registered-as-an Illinois-Conceived-and-Foaled-Standardbred-Horse-

(Source: Amended at 25 Ill. Reg. 7679, effective JUN 18 2000)

Section 290.95 Standardbred Breeders Awards

a) Standardbred breeders awards are limited to breeders of Illinois conceived and foaled standardbred horses, Conceived-and-Foaled Standardbred-Horses-as defined in Section 31 of the Act [230 ILCS 5/31] as (Ill.-Rev.-Stat.-1979-Ch.-87-par.-37-31)-being-A-breeder is the owner of a mare at the time of conception.

b) A breeder cannot receive awards unless the foal (horse) is properly registered under Section 290.90, as required-by-the-Act-as-an-Illinois Conceived-and-Foaled-Standardbred-Horse-

7679

(Source: Amended at 25 Ill. Reg. , effective JUN 18 2000)



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provided--for--by--the--Department--and--other--information--the--Department may--require:

- (c) All races that held-at-county--fairs--which receive funds from the Illinois Standardbred Breeders Fund must be conducted in accordance with the rules of the United States Trotting Association unless otherwise--modified--by--rules--of--the--Department. Any deviation from the rules--of--the--Department--or--the--U.S.--Trotting--Association--Rules--and Regulations--not--authorized--by--the--Department--shall--be--grounds--for denying--a--colt--association--or--a--county--fair--funds--from--the--Illinois Standardbred-Breeders-Fund.

(Source: Amended at 25 Ill. Reg. 7679-3, effective 11/1/87)

### Section 290.110 Illinois Conceived and Foaled Standardbred Races at the Illinois State Fair and Du Quoin State Fair

- a) The Department will conduct annually during the Illinois State Fair at least a 5-day racing program as set forth in the Illinois Horse-Racing Act--of--1975--(Ill--Rev--Stat--1989--Ch--87--par--37-31). The program shall include at least the following races limited to Illinois conceived and foaled horses:

- 1A) a two year old trot and pace, and filly division trot-and-pace and Filly-Division of each;
- 2B) a three year old trot and pace, and filly division trot-and-pace and Filly-Division of each;
- 3E) an aged (four--five--and--six--year-olds) trot and pace, and mare division trot--and--pace--and--Mare-Division of each. Quoted from [Section 31 of the Illinois Horse Racing Act of 1975 [230 ILCS 5/31]] (Ill--Rev--Stat--1989--Ch--87--par--37-31).

- b) All standardbred races held at the Illinois State Fair or Du Quoin State Fair that which receive funds from the Illinois Standardbred Breeders Fund shall be conducted in accordance with the rules of the United States Trotting Association incorporated by reference in Section 290.12. (750-Michigan-Avenue--Columbus--Ohio--43215--1990) unless--otherwise--modified--by--rule--of--the--Department--or--this incorporation--by--reference--does--not--include--any--later--amendments--or editions--Any--deviation--from--the--rules--of--the--Department--or--the--U.S. Trotting-Association--rules--not--authorized--by--the--Department--shall--be grounds--for--denying--funds--from--the--Illinois-Standardbred-Breeders Fund.

- c) To qualify to race at the Illinois State Fair in races--for--Illinois Conceived--and--Foaled--Horses--a--horse--shall--meet--the--following requirements:

- 1) Be--registered--by--the--Department--as--an--Illinois-Conceived--and Foaled-Standardbred-Horse.
- 2) Whenever the basic purses are equal for the--"open"--and--"filly" races--a--filly--may--not--enter--the--"open"--race.

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- (cd) Nominating--Sustaining and Entry Starting Fees. All nominating, sustaining and entry starting fees for races sponsored by the Department of Agriculture through the Illinois Standardbred Breeders Fund shall be paid to the Department or its authorized agent except for those races specifically designated otherwise in Schedule A (See-8 Ill--Adm--Code--Section--290-20). The--dates--and--amounts--of--these payments--shall--be--as--set--forth--in--Schedule-A--(See--8--Ill--Adm--Code--Section--290-20). All fees received from these payments shall be kept by the Department in accounts as set forth in 30 ILCS 105/5.26a (Ill--Rev--Stat--1989--Chapter--127--paragraph--141-26a) to be used for the benefit of entrants in specific races. These monies shall be paid out as a part of the purse for each respective race.

(Source: Amended at 25 Ill. Reg. 7679-3, effective 11/1/87)

## SUBPART C: THOROUGHBRED DIVISION

### Section 290.150 Stallion Certification Qualification Requirements

- a) All thoroughbred stallions standing for service in Illinois must be certified registered annually with the Department for foals of the such stallions to be registered in the Illinois Thoroughbred Breeders Fund Program and to be eligible to race in races restricted limited to Illinois conceived conceived and foaled horses foaled-Horses.
- b) No person shall knowingly prepare or cause to be prepared an application for certification an--Illinois--Stallion--Eligibility Certificate containing false information. Any false information shall be grounds for denying an Illinois Stallion Eligibility Certificate registration and/or cancellation of an Illinois Stallion Eligibility Certificate. Any deviation from the rules of the Department--or--the U.S. Trotting-Association--rules--not--authorized--by--the--Department--shall be--grounds--for--denying--funds--from--the--Illinois-Standardbred-Breeders Fund.

- c) The stallion shall be standing for service within the State of Illinois at the time of a foal's conception, and the stallion must not stand for service at any place outside of the State of Illinois during that calendar year in which the foal is conceived.

- c) No stallion can be registered as an Illinois stallion by a person who does not meet the residency requirement as set forth in the Act. To qualify a stallion for Illinois breeding not less than 50% of such stallion shall be owned by a resident of the State of Illinois and standing for service within the State of Illinois at the time of a colt's conception and such stallion must not stand for service at any place outside the State of Illinois during that calendar year in which the colt is conceived and that the Illinois owner of the stallion was for 12 months prior a resident of Illinois.

\*Section--30--of--the--Illinois-Horse-Racing-Act--of--1975--(Ill--Rev--Stat--1979--



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Chapter 07, Part 37-30.

(Source: Amended at 25 Ill. Reg. 7679, effective JUN 18 2001)

**Section 290.155 Certification of Stallion for First Time or Under New Ownership Before Offering Service Application for Offering or Standing Stallion for Service**

- a) In order for a stallion's foal to be registered as Illinois conceived and foaled, any person who desires to stand the stallion for service shall, before standing or offering the stallion for service, certify the stallion with the Department and comply with this Subpart. Certification applies only to the owners at the time of application. If a certified stallion is sold to new owners, the stallion is no longer eligible for the program unless re-certified by the new owners.
- b) Application for stallion certification shall be on a form provided by the Department, giving the following information:

- 1) The name of the stallion.
- 2) The names and addresses of the stallion owners.
- 3) The names and addresses of lessees (if any).
- 4) The place where the stallion will stand for service during the year for which the application is made.
- 5) That the stallion will be standing for service within the State of Illinois and will not stand for service at any place outside the State of Illinois during the calendar year for which application is being made.
- 6) Statement of ownership, including names and addresses of owners and percentage of ownership.
- 7) A photocopy of the official certificate of registration from the Jockey Club.

Every person offering or standing any stallion for service shall, before January 1 of every year in which such service will be offered, file with the Department a written application on forms provided by the Department giving the following information:

- a) The name of the stallion.
- b) The owner/owners and address of the stallion.
- c) The place where the stallion stood for service during the previous year.
- d) The place where the stallion will stand for service during the year for which the application is made.
- e) That the stallion is and will be owned by a resident of Illinois, and will be standing for service at and within the State of Illinois, and that such stallion will not stand for service at any place outside the State of Illinois during the calendar year, and that the owner of the stallion was for the twelve months prior a resident of the State of Illinois.
- f) Details concerning right of ownership such as a bill of sale

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contract or other document providing proof of ownership which must show any agreements concerning breeding rights, repurchase agreements and other types of concessions.

- g) Submission of official certificate of registration from Jockey Club.

(Source: Amended at 25 Ill. Reg. 7679, effective JUN 18 2001)

**Section 290.160 Renewal Application for Offering or Standing Stallion for Service New Owner of a Stallion Shall Qualify Stallion Before Offering Service**

- a) In order for a stallion's foal to be registered as Illinois conceived and foaled, a person offering or standing the stallion for service shall, before January 1 of every year in which the service will be offered, timely file with the Department a written application on forms provided by the Department giving the following information:

- 1) The name of the stallion.
- 2) The names and addresses of the stallion owners.
- 3) The names and addresses of lessees (if any).
- 4) The places where the stallion stood for service during the previous year (if different than in the renewal year).
- 5) The place where the stallion will stand for service during the year for which the application is made.
- 6) That the stallion will be standing for service within the State of Illinois and will not stand for service at any place outside the State of Illinois during the calendar year for which application is being made.

- b) Annual statement of ownership, including names and addresses of owners and percentage of ownership.

- c) Submission of a photocopy of the official certificate of registration from the Jockey Club.

- d) The Department shall impose monetary penalties, in accordance with ILCS 5/40, for late filing of a renewal application for offering or standing stallion for service.

Any person who becomes the owner of a stallion after January 1 of any year and desires to stand such stallion for service shall, before standing or offering the stallion for service during the year in which acquired, qualify the stallion with the Department and comply with all rules as provided.

(Source: Amended at 25 Ill. Reg. 7679, effective JUN 18 2001)

**Section 290.165 Breeding Record of Stallion -- Record Report of Mares Bred**

- a) In order for a stallion's foal to be registered as Illinois conceived and foaled, a Every person offering or standing the any stallion for service shall maintain a complete breeding record of the stallion and all mares bred to that such stallion, including:



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- 1) the name of the mare,
- 2) the mare's Jockey Club registration number, the dam and sire of the mare
- 3) the names name and addresses address, including zip code, of the owner or owners of the mare,
- 4) the first and last dates on which the stallion was bred to the mare, and
- 5) if the mare was pasture bred, first and last possible breeding dates.
- 5) the place where the stallion was standing for service at the time of such breeding, and
- 6) the person or persons who were in charge of the stallion at the time of such service.
- b) A copy of the fully completed Record Jockey Club Report of Mares Bred, which is required for submission by September 1 of each year, must be filed with also submitted to the Department by September 1 of each year. For mares bred after September 1, immediate notification to the Department is required.
- c) The Department shall impose monetary penalties, in accordance with 230 ILCS 5/40, for incomplete and/or late filing of the Record of Mares Bred.

(Source: Amended at 25 Ill. Reg. 7679 --, effective 7/1/00)

### Section 290.170 Stallion Siring Foal Must Qualify In Order For Foal to be Eligible for Registration as an Illinois Conceived and Foaled Horse (Repealed)

No foal shall be eligible for registration as an Illinois Conceived and Foaled Horse under the provisions of the Illinois Thoroughbred Breeders Fund Program unless at the time of such conception the owner of the stallion siring such foal has met the requirements of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat., Ch. 117, par. 37-30) and the rules relating to the qualification of such stallion (8 Ill. Adm. Code Part 290).

(Source: Repealed at 25 Ill. Reg. 7679 --, effective 7/1/00)

### Section 290.175 Notification to the Department if Certified Licensed Stallion is Moved Leaves the State

The owners owner or their his authorized representative must give immediate notification to the Department if the stallion leaves the location where he is certified State in the year for which licensed.

(Source: Amended at 25 Ill. Reg. 7679 --, effective 7/1/00)

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### Section 290.177 Notification of Sale or Transfer of Ownership of Certified Stallion

- a) The Department must receive notification of transfer of ownership of a certified stallion within 10 days after the sale or transfer.
- b) If the new owners desire to certify the stallion for eligibility of its foal in the Illinois Thoroughbred Breeders Fund Program, the owners or their authorized representative shall, before standing or offering the stallion for service, file an Application for Stallion Certification on forms provided by the Department.
- c) If the stallion had previously serviced mares during that calendar year, the stallion may not be used for breeding purposes outside the State of Illinois during the remainder of the calendar year for which the stallion was certified as an Illinois Stallion.

(Source: Added at 25 Ill. Reg. 7679 --, effective 7/1/00)

### Section 290.178 Stallion Eligibility Certificate

- a) Certified stallions must be identified at the reported standing location by a Department investigator.
- b) Upon certification of a stallion by the Department, an Illinois Stallion Eligibility Certificate shall be issued and will be delivered to the reported standing location.

(Source: Added at 25 Ill. Reg. 7679 --, effective 7/1/00)

### Section 290.180 Stallion Qualification Procedures (Repealed)

- a) To qualify as a stallion, the owner is required to complete the annual Application for Stallion Eligibility Certificate and forward it to the Illinois Department of Agriculture, State Fairgrounds, Springfield, Illinois 62706.
- b) The issuance of an Illinois Stallion Eligibility Certificate by the Department is contingent on the stallion being inspected and identified by a Department investigator.
- c) In the event of a sale or transfer of ownership of a thoroughbred stallion qualified with the Department, the transfer of ownership shall be executed on the back of the Illinois Stallion Eligibility Certificate for such stallion and the endorsed Certificate forwarded to the Department.
- d) If the new owner is an Illinois resident and desires to qualify the stallion for eligibility in the Illinois Thoroughbred Breeders Fund Program, then the owner must submit an application for a Stallion Eligibility Certificate accompanied by a copy of the Bill of Sale and meet the requirements of 8 Ill. Adm. Code Section 290.160.



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authorized representative and that such person shall provide all the information required. 1) The mare and foal must remain in the State until it has been inspected and identified by a Department representative or until written notice that the foal application has been accepted and the foal registration is issued by the Department.

2) When the foal has been inspected and identified by a Department representative, the mare and foal may leave the State. The Department shall complete an application for foal registration showing the name of the breed mare (dam), the name of the sire, the date and location of foaling, and the color, the sex and markings of the foal.

3) To complete the official registration of an Illinois conceived and foaled horse, the owner must forward the Jockey Club Certificate by registered mail to the Department. If the horse has met all of the requirements for registration, the Department shall affix its Illinois official seal which shall be affixed on the face of the Jockey Club Certificate. The seal shall include the Illinois Department's registration number for that such horse, and return the certificate within 10 days from the date of receipt.

A) The This--certification--of--the Jockey Club Certificate with the Illinois registration number will be the official registration certificate for the Illinois Thoroughbred Conceived and Foaled Program. The certified Jockey Club Certificate with the Department seal shall be returned to the owner of the horse by registered mail.

B) If the Jockey Club Certificate is lost or destroyed or replaced, the duplicate Jockey Club Certificate for the such horse must receive a new be-recertified--by--the Department seal to be valid for the Illinois Conceived and Foaled Program.

C) The Department shall impose monetary penalties, in accordance with 230 ILCS 5/40, for the late filing of an application for foal registration.

C) All--Illinois--Conceived--and--Foaled--Thoroughbreds--foaled--prior--to--the effective--date--of--the--Illinois--Horse--Racing--Act--of--1975--(1975--Rev--Stat--1979--Ch--87--par--37--38)--who--have--had--birth--certificates--filed with--the--Illinois--Racing--Board--and--who--were--inspected--identified--and certified--by--Illinois--Racing--Board--investigators--may--be--registered--as

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e) The--Illinois--Stallion--Eligibility--Certificate--shall--be--available--for inspection--on--the--premises--where--the--stallion--stands:

(Source: Repealed at 25 Ill. Reg. 7679, effective JUN 18 1988)

Section 290.185 Qualifications for Illinois Conceived and Foaled Thoroughbred Horses

A horse, to be qualified for the Illinois Thoroughbred Breeders Fund Program and for races restricted limited to Illinois conceived and foaled horses, Foaled Horses must meet the following requirements:

a) An Illinois conceived and foaled horse is a foal born in this State and sired by a certified Illinois stallion standing for service within this State at the time of the foal's conception; and

a) The--owner--of--the--mare--(dam)--must--complete--and--return--the--Mare--Status Report--to--the--Department--at--least--30--days--before--the--anticipated--date of--foaling;

b) The--Mare--Status--Report--must--indicate--the--place--where--the--mare--will foal--in--this--State--and--the--person--who--will--be--responsible--for--the--mare at--the--time--of--foaling;

bc) A mare (dam) of an Illinois conceived and foaled horse must be in the State a total of at least 30 consecutive days that includes the foaling date, prior to foaling and/or remain in the State at least 30 days--at--the--time--of--foaling--and--must--meet--the--following--statutory requirements:

An--"Illinois--conceived--and--foaled--horse"--is--a--foal--dropped--in this--State--from--a--mare--in--this--State--and--sired--by--an--Illinois qualified--stallion--standing--for--service--at--and--within--this--State at--the--time--of--such--foaling--conception,--which--stallion--did--not stand--for--service--at--any--place--outside--this--State--during--the calendar--year--in--which--such--foal--was--conceived."

d) The--Mare--Status--Report--must--indicate--if--the--mare--is--to--be--bred--back--to an--Illinois--stallion--or--to--a--stallion--standing--at--service--outside--the State--of--Illinois;

\*Quoted--from--Ill--Rev--Stat--1979--Ch--87--par--37--38  
(Source: Amended at 25 Ill. Reg. 7679, effective JUN 18 1988)

Section 290.190 Certification--and Registration for Illinois Conceived and Foaled Horses

a) An application for foal registration for of an Illinois conceived and foaled thoroughbred foal must be filed with the Department within 10 days after foaling. The Such application shall be made on forms provided by the Department. The forms shall be completed by the owners owner of the foal or their his



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- d) ~~Illinois-Conceived-and-Foaled-Thoroughbreds-~~  
~~In-the-case-of-a-thoroughbred-horse-that-was-conceived-and-foaled-in~~  
~~Illinois-but-for-whom-a-birth-certificate-and/or-an-application-for~~  
~~certification-was-not-filed-with-the-Illinois-Racing-Board-the~~  
~~present-owner-may-make-application-to-the-Department-for-registration~~  
~~of-such-horse-The-applicant-shall-meet-all-the-requirements-as-set~~  
~~forth-in-8--Ill--Adm--Code-Section-290-190(b)-and-in-addition-must~~  
~~provide-evidence-to-the-Department-and-the-investigator-to-assure-that~~  
~~the-horse-qualifies-for-registration-as-an-Illinois-Conceived-and~~  
~~Foaled-Thoroughbred-Horse-~~
- e) A--thoroughbred-horse--born-or--conceived--prior-to-January-17-1976  
eligible-to--be--registered--as--an--Illinois--Conceived--and--Foaled  
thoroughbred-Horse7-must-be-registered-by-the-Department-by-January-17  
1977.
- f) In-the-case-of-a--thoroughbred--foal--which--was--conceived--prior--to  
January-17--1976--and--was--foaled--after-January-17-1976--and--the-foal  
met--the--requirements--of--the--Illinois--Racing--Board--rules--and  
regulations7--such--foal--shall-be-eligible-to-be-registered-under-the  
Illinois-Horse-Racing-Act-of-1975-(Ill-Rev-Stat-1979-Ch-87--par-  
37-307.

(Source: Amended at 25 Ill. Reg. 7679-13, effective  
JUN 18 2001)

Section 290.195 Qualifications for Illinois Foaled Thoroughbred Horses

- a) A horse, foal to be qualified for the Illinois Thoroughbred Breeders  
Fund Early Arrival Program and for races restricted limited to  
Illinois foaled horses, Foaled-Horses must meet the following  
requirements:
- 1a) The owners owner of the mare (dam) or their authorized  
representative must complete a Mare Status Report and file it  
with the Department on or before no-later-than December 1 of the  
year the foal is conceived.
- b) The-Mare-Status-Report-must-indicate:
- 1) name-and-Jockey-Club-registration-number-of-mare7  
2) mare-owner's-name-and-address7  
3) mare's-last-breeding-date7  
4) stallion-servicing-mare7  
5) location-of-the-mare-on-December-31-of-the-year--of--conception7  
and  
6) the--place--where-the-mare-will-foal-in-this-State-and-the-person  
who-will-be-responsible-for-the-mare-at-the-time-of-foaling.
- 2c) The mare (dam) must be in the State on or before December 1 31 of  
the year the foal is conceived and remain continuously in this  
State until the foal is born dropped. In--addition-to-this  
statutory-requirement7-a-mare-must-be-in-the-State-at--least--30  
days--prior-to-foaling-and/or-for-a-period-of-30-days-at-the-time

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- of-foaling-
- d) The-Mare-Status-Report-must-indicate-if-mare-is-to-be-bred-back--to--a  
qualified--Illinois-stallion-or-to-a-stallion-not-duly-qualified-as-an  
Illinois-stallion--standing-in-Illinois-or-outside--the--State--of  
Illinois:
- b) A horse, to be qualified for the Illinois Thoroughbred Breeders Fund  
New Purchase Program and for races restricted to Illinois foaled  
horses, must meet the following requirements:
- 1) The mare (dam) must be in the State before February 1 and the  
owners of the mare, or their authorized representative, must  
complete a Mare Status Report and file it with the Department no  
later than February 1 of the year of foaling.
- 2) The mare (dam) must have been purchased at a public auction and  
must be 100% Illinois owned.
- 3) The mare (dam) must foal in Illinois.
- c) A horse, to be qualified for the Illinois Thoroughbred Breeders Fund  
Breed-Back Program and for races restricted to Illinois foaled horses,  
must meet the following requirements:
- 1) The mare (dam) must be in the State on or before March 1 and the  
owners of the mare, or their authorized representative, must  
complete a Mare Status Report and file it with the Department on  
or before March 1 of the year of foaling.
- 2) The mare (dam) must foal in Illinois.
- 3) The mare (dam) must remain in Illinois for 30 days after foaling  
and must be bred back during the year of foaling to an Illinois  
certified stallion and no other.

(Source: Amended at 25 Ill. Reg. 7679-13, effective  
JUN 18 2001)

Section 290.200 Certification---and Registration for Illinois Foaled  
Thoroughbred Horses

- a) An application for foal registration for an Illinois foaled  
thoroughbred foal Foaled--thoroughbred--foal must be filed with the  
Department within 10 days after foaling. The Such application shall be  
made on forms provided by the Department. The forms shall be completed  
by the owners owner of the foal or their his authorized representative  
and such person shall provide all the information required. 1) The  
mare--and foal must remain in the State until it has they-have been  
inspected7 identified by a Department representative or until written  
notice that the foal application has been accepted and the foal  
registration is issued. and-certified-by-a-Department-investigator: 2)  
When-the-foal-has-been-certified-by--a-Department--investigator7--the  
mare-and-foal-may-leave-the-State.
- b) Procedures Procedure for Registration of Illinois Foaled  
Thoroughbreds.
- 1) The owners owner of the foal, or their authorized representative,



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shall complete an application for foal registration showing the name of the brood mare (dam), the name of the sire, the date of foaling, and the color, the sex and markings of the foal.

- 2) To complete the official registration of an Illinois foaled horse ~~foaled horse~~, the owners or their authorized representative ~~owner~~ must forward the Jockey Club Certificate by ~~registered mail~~ to the Department. If the horse has met all the requirements for registration, the Department shall affix its Illinois official seal shall be affixed on the face of the Jockey Club Certificate. The seal which shall include the Illinois Department's registration number for the such horse, and ~~return the certificate within 10 days from the date of receipt.~~

A) The ~~This certification of the Jockey Club Certificate with the Illinois registration number will be the official registration certificate for the Illinois Foaled Thoroughbred Program. The certified Jockey Club Certificate with the Department seal shall be returned to the owner of the horse by registered mail.~~

B) If the Jockey Club Certificate is lost or destroyed or replaced, the duplicate Jockey Club Certificate for that such horse must receive a new be recertified by the Department seal to be valid for the Illinois Foaled Thoroughbred Program.

- c) The Department shall impose monetary penalties, in accordance with 230 ILCS 5/40, for the late filing of an application for foal registration.

e) An Illinois Foaled Thoroughbred foaled prior to the effective date of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, Ch. 87, par. 37-30) who has had a birth certificate filed with the Illinois Racing Board and who was inspected, identified and certified by an Illinois Racing Board investigator may be registered as an Illinois Foaled Thoroughbred.

d) In the case of a thoroughbred horse who was foaled in Illinois but for whom a birth certificate and/or an application for registration was not filed with the Illinois Racing Board, the present owner may make application to the Department of Agriculture for registration of such horse. The applicant shall meet all the requirements as set forth in 8 Ill. Adm. Code Section 290.200(b) and in addition must provide evidence to the Department and the investigator to assure that the horse qualifies for registration as an Illinois Foaled Thoroughbred Horse.

e) A thoroughbred horse born prior to January 17, 1976, eligible to be registered as an Illinois Foaled Thoroughbred Horse must be registered by the Department by January 17, 1977.

f) In the case of a thoroughbred foal which was conceived prior to January 17, 1976, and was foaled after January 17, 1976, and the foal met the requirements of the Illinois Racing Board rules such foal shall be eligible to be registered under the Illinois Horse Racing Act

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of 1975 (Ill. Rev. Stat. 1979, Ch. 87, par. 37-30).

(Source: Amended at 25 Ill. Reg. 7679, effective JUN 18 2001)

### Section 290.205 Grandfather Rights of Thoroughbred Horses Registered Under the Illinois Horse Racing Act (Repealed)

Illinois Conceived and Foaled Thoroughbred Horses and Illinois Foaled Thoroughbred Horses that were properly registered under the provisions of the Illinois Horse Racing Act as amended, will be eligible to participate in the Illinois Thoroughbred Breeders Fund Program and other programs pursuant to the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1979, Ch. 87, par. 37-30).

(Source: Repealed at 25 Ill. Reg. 7679, effective JUN 18 2001)

### Section 290.210 Thoroughbred Stallion Owners Awards

a) Thoroughbred stallion owners awards are limited to the sires of registered Illinois conceived Conceived and foaled horses that were conceived before May 30, 1995 Foaled Horses.

b) The owner of a thoroughbred stallion is eligible to participate in the stallion owners awards program by:

- 1) Qualifying foal must be registered as an Illinois conceived and foaled thoroughbred with the Illinois Department of Agriculture.
- 2) Qualifying foal must win a race other than a claiming race at a pari-mutuel track in Illinois with a total of all purse money offered at \$7500 or more.
- 3) Stallion must not stand or be offered for service outside the State of Illinois during the calendar year in which the qualified foal wins an eligible race.

c) The stallion owner is defined as the owner of record of the stallion at the time of conception of the qualifying horse. Stallion owners awards will be paid to such owners.

d) Thoroughbred stallions who do not meet the above conditions and rules are ineligible to participate in the Stallion Owners Awards monies Illinois Thoroughbred Breeders Fund Program.

(Source: Amended at 25 Ill. Reg. 7679, effective JUN 18 2001)

### Section 290.215 Illinois Conceived and Foaled Thoroughbred Racing at Races County Fairs

Illinois Thoroughbred Breeders Fund Program:

- a) The Illinois Horse Racing Act of 1975 provides \$75,000 \$507,000 annually for purses to be distributed to county fairs that provide for



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the running of races during each county fair. These races will be open to thoroughbreds that are properly registered as Illinois conceived conceived and foaled foaled with the Department.

b) The conditions of the races shall be developed by the county fair association and 7 reviewed by the Department, in consultation with the Illinois Racing Board and with the advice and assistance of the Illinois Thoroughbred Breeders Fund Advisory Board.

c) County fair associations desiring to participate in this program shall file an application for participation with the Department on or before February 15th each year. Applications Such applications are available from the Department. Information as to location, date, track surface, and number of permanent horse stalls available and other information must be given.

d) The Department may, at its discretion, deny allocation of funds for Illinois Conceived and Foaled Races to county fairs

1) when the surface of the track is not in suitable condition for thoroughbred racing;

2) when the type of inside and outside track rails or the lack of inside or outside rails or any part thereof constitute a hazard impacting the safety of thoroughbreds, jockeys and general public;

e) County fair associations shall not schedule or advertise these races until officially notified by the Department of its approval of the races to be offered and the amount of funds allocated.

df) The Department may at any time order the cancellation of a race or races if funds have been conditionally allocated to a fair association and the conditions have not been fulfilled prior to opening day of the fair. Any violation of this Subpart the Department rules shall be just cause for denying distribution of fund monies to the county fair and/or the money winning horse owners.

eg) The purse distribution shall be as follows: 50% to the winner; 25% to second; 15% to third; and 10% to fourth.

fh) The president and secretary, or his/her authorized representative, of each county fair association claiming the benefit of any distribution from the Illinois Thoroughbred Breeders Fund shall file with the Department, within seven (7) days after the last racing day of a county fair, 2 two official programs, an affidavit stating that this Subpart Department rules have been complied with, and other information including the amount of purses put up by the county fair, the names and addresses of those owners who are to share in the total purse and the amount in which they are to share, and any other information the Department may require.

1) The Department investigator assigned to each fair shall act as presiding steward and horse identifier with the authority to enforce the Department rules for county fair racing and to act on any situation not covered by those rules.

g) The fair association shall appoint a Racing Secretary, 3 three placing judges, starter and a timer as the officials to conduct the races. 1)

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These the above named officials shall be appointed at least 2 two days prior to the date of the races race(s). The list of those appointed officials must be submitted to the Department investigators assigned to the fair no later than twenty-four (24) hours before the running of the races race(s).

2) The Department investigator assigned to each fair may aid but shall not substitute for any appointed official.

k) The Department investigator assigned to each fair shall supervise and regulate all functions pertaining to the conduct of the racing and he shall enforce the rules of the Department.

h) The Department investigator may shall identify each horse starting in a race by means of description on the Jockey Club Certificate and verify Illinois conceived and foaled registration.

2) Immediately after the completion of the program of races at each county fair, the Department investigator shall submit a written report to the Department on all matters pertaining to the conduct of races, officiating, condition of the track and appurtenances.

it) It shall be the duty of the 3 three judges to conduct the races and their decision shall be final in all matters pertaining to the running of the races, including the finishing order placing of horses horse. All questions pertaining directly to racing arising during the program of races at county fairs shall be determined by the judges and the Department investigator assigned to the fair.

m) The Racing Secretary of the fair association is the only person authorized to receive entries and declarations.

in) It shall be the duty of the Racing Secretary to ascertain that the owner of a horse in whose name the said horse is entered is the last owner of record on the Jockey Club Certificate. The Racing Secretary shall not card any race or races unless there is a minimum of five separate owner interests represented in a race.

ko) The Racing Secretary shall record the Illinois conceived and foaled registration conceived and foaled certificate number or registration number of each Illinois conceived conceived and foaled horse foaled horse competing in the races and furnish this information to the Department.

p) Illinois conceived and foaled Thoroughbreds that were properly registered by the Illinois Racing Board under the provisions of the Illinois Horse Racing Act will be eligible to these races as now provided by the Department under the provisions of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1987 ch. 87 par. 37-30) and the Illinois Thoroughbred Breeders Fund Program.

q) All entries must be made in writing on Official Entry blanks furnished by the fair association and all requested information must be furnished at the time of entry. Entries may be made by telephone if promptly confirmed by the Racing Secretary and will be valid or recognized if the name of the horse so entered has been printed on the official program.

1r) No horse shall be eligible to be entered in a race that is receiving



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money from the Illinois Thoroughbred Breeders Fund unless the horse has been duly registered as an Illinois conceived and foaled thoroughbred. Conceived---and---foaled---Thoroughbred. The Illinois registration number shall be recorded on the entry blank at the time an entry for a race is submitted to the Racing Secretary.

s) All-entries-shall-be-closed-at-the-advised-time:

m) In the event that the number of entries to any race is in excess of the number of horses that may, because of track limitations, be permitted to start, the starters for the race shall be determined by lot in the presence of those making entries, and the post position shall be in the order in which the starters they are drawn. They-and the same method shall be used in determining the starters and post positions in case any race is divided or split.

u) At-the-closing-time-for-filing-entries-for-the-succeeding-day-the horses-entered-shall-be-drawn-by-lots-for-post-positions-and-a typewritten-list-of-the-horses-so-drawn-into-the-race-shall immediately-be-posted-on-the-bulletin-board-in-the-Racing-Secretary's office-for-inspection-of-the-owners-and-trainers.

v) The-entries-of-the-races-for-the-succeeding-day-shall-become "Official"---thirty---minutes---after---such---posting---and---no---changes thereafter-shall-be-made-because-of-any-omissions-or-inaccuracies.

w) All-horses-must-be-stabled-on-the-fair-grounds-no-later-than-two-hours prior-to-the-post-time-for-the-first-race-of-the-day.

x) Jockeys-must-wear-protective-helmets.

y) No-jockey-shall-be-permitted-to-ride-who-is-presently-under-suspension or-ruled-off-in-the-State-of-Illinois-or-in-any-other-State--The Department-investigator-shall-check-the-eligibility-of-each-jockey.

z) The-jockeys-must-be-attired-in-racing-suits.

aa) No-whips-or-spurs-permitted-in-two-year-old-races.

bb) The-track-shall-be-in-suitable-condition-for-thoroughbred-racing-as determined-by-the-Racing-Secretary-and-the-Department-of-Agriculture investigator--There-shall-be-an-adequate-cushion-provided-on-the racing-strip.

cc) A-mechanical-starting-gate-shall-be-used-at-the-start-of-all-races-and a-horse-shall-not-be-considered-a-starter-unless-he-leaves-the starting-gate-with-the-field.

dd) Sufficient-time-shall-be-allowed-for-post-parades-and-warm-ups-A minimum-of-ten-minutes-shall-elapse-between-the-time-the-horses-enter the-track-and-arrive-at-the-starting-gate.

ee) No-horse-shall-be-permitted-to-start-that-has-not-been-fully identified-The-Illinois-Conceived-and-Foaled-Certificate-and-the Jockey-Club-Certificate-or-the-Illinois-Certified-Jockey-Club Certificate-must-be-on-file-with-the-Racing-Secretary.

ff) There-shall-be-a-minimum-of-five-(5)-separate-owner-interests-starting in-each-race.

gg) No-horse-is-qualified-to-run-in-any-race-unless-he-is-duty-entered-for that-race.

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(Source: Amended at 25 Ill. Reg. 7679, effective JUN 08 2011)

## SUBPART D: QUARTER HORSE DIVISION

## Section 290.220 Stallion Certification Requirements

a) All stallions standing for service in Illinois must be certified annually with the Department for foals of such stallions to be registered in the Illinois Quarter Horse Breeders Fund Program and to be eligible to race in races restricted to Illinois conceived and foaled horses.

b) No person shall knowingly prepare or cause to be prepared an application for certification containing false information. Any false information shall be grounds for denying an Illinois Stallion Eligibility Certificate and/or cancellation of an Illinois Stallion Eligibility Certificate.

c) The stallion shall be standing for service within the State of Illinois at the time of a foal's conception, and such stallion must not stand for service at any place outside of the State of Illinois during the calendar year in which the foal is conceived.

d) Semen from an Illinois certified stallion may be shipped for immediate use to other locations provided the stallion does not stand for service at any place outside the State of Illinois during the calendar year for which the stallion is certified.

(Source: Added at 25 Ill. Reg. 7679, effective JUN 08 2011)

## Section 290.225 Certification of Stallion for First Time or Under New Ownership Before Offering Service

a) In order for a stallion's foal to be registered as Illinois conceived and foaled, any person who desires to stand the stallion for service shall, before standing or offering the stallion for service, certify the stallion with the Department and comply with this Subpart. Certification applies only to the owners at the time of application. If a certified stallion is sold to new owners, the stallion is no longer eligible for the program unless re-certified by the new owners. Application for stallion certification shall be on a form provided by the Department, giving the following information:

- 1) The name of the stallion.
- 2) The names and addresses of the stallion owners.
- 3) The names and addresses of lessees (if any).
- 4) The sire and dam of the stallion.
- 5) The place where the stallion will stand for service during the year for which the application is made.
- 6) That the stallion will be standing for service within the State



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of Illinois and will not stand for service at any place outside the State of Illinois during the calendar year for which the application is being made.

(Source: Added at 25 Ill. Reg. 7679, effective JUN 1 8 1988)

### Section 290.230 Renewal Application for Offering or Standing Stallion for Service

In order for a stallion's foal to be registered as Illinois conceived and foaled, a person offering or standing the stallion for service shall, before January 1 of every year in which such service will be offered, timely file with the Department a written application, on forms provided by the Department, giving the following information:

- the name of the stallion,
- the names and addresses of the stallion owners,
- the names and addresses of lessee (if any),
- the sire and dam of the stallion,
- the places where the stallion stood for service during the previous year (if different than in the renewal year),
- the place where the stallion will stand for service during the year for which the application is made, and
- that the stallion will be standing for service within the State of Illinois and will not stand for service at any place outside the State of Illinois during the calendar year for which application is being made.

(Source: Added at 25 Ill. Reg. 7679, effective JUN 1 8 1988)

### Section 290.235 Breeding Record of Stallion -- Record of Mares Bred

- In order for a stallion's foal to be registered as Illinois conceived and foaled, a person offering or standing the stallion for service shall maintain a complete breeding record of the stallion and all mares bred to such stallion, including:

- the name of the mare,
- the names and addresses, including zip code, of the owner or owners of the mare,
- the first and last dates on which the stallion was bred to the mare,
- if the mare was inseminated by transported semen, any and all dates semen was shipped,
- if the mare was pasture bred, first and last possible breeding dates.

- A fully completed Record of Mares Bred must be filed with the Department by September 1 of each year. For mares bred after

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September 1, immediate notification to the Department is required.

(Source: Added at 25 Ill. Reg. 7679, effective JUN 1 8 1988)

### Section 290.240 Requirements for Transported Fresh Semen of a Certified Stallion

- The mare owners or their authorized representative must file a Transported Fresh Semen Report with the Department, within 10 days after insemination, indicating the insemination dates, the insemination site, a description of the mare, the ownership of the mare, and the name of the person who performed the insemination. Subsequent inseminations utilizing transported fresh semen must be reported as required by this subsection.

- The mare must be in the State at the time of conception, and such fact will be verified by a Department employee.

- The stallion owners or their authorized representative must indicate on the Record of Mares Bred (see Section 290.235) all mares artificially inseminated with transported fresh semen.

(Source: Added at 25 Ill. Reg. 7679, effective JUN 1 8 1988)

### Section 290.245 Notification if Certified Stallion is Moved

The owners or their authorized representative must give immediate notification to the Department if the stallion leaves the location where he is certified. The stallion may not be used for breeding purposes outside the State of Illinois during the calendar year for which certified.

(Source: Added at 25 Ill. Reg. 7679, effective JUN 1 8 1988)

### Section 290.250 Notification of Sale or Transfer of Ownership of Certified Stallion

- The Department must receive notification of transfer of ownership of a certified stallion within 10 days after the sale or transfer.

- If the new owners desire to certify the stallion for eligibility of its foal in the Illinois Racing Quarter Horse Breeders Fund Program, the owners or their authorized representative shall, before standing or offering the stallion for service, file an Application for Stallion Certification on forms provided by the Department.

- If the stallion had previously serviced mares during that calendar year, the stallion may not be used for breeding purposes outside the State of Illinois during the remainder of the calendar year for which the stallion was certified as an Illinois stallion.



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(Source: Added at 25 Ill. Reg. 7679, effective JUN 18 2001)

Section 290.255 Stallion Eligibility Certificate

- a) Certified stallions must be identified at the reported standing location by a Department investigator.
- b) Upon certification of a stallion by the Department, an Illinois Stallion Eligibility Certificate shall be issued and will be delivered to the reported standing location.

(Source: Added at 25 Ill. Reg. 7679, effective JUN 18 2001)

Section 290.260 Qualifications for Illinois Conceived and Foaled Quarter Horses

A horse, to be qualified for the Illinois Racing Quarter Horse Breeders Fund Program and for races restricted to Illinois conceived and foaled horses, must meet the following requirements:

- a) An Illinois conceived and foaled horse is a foal born in this State from a mare in this State and sired by a certified Illinois stallion standing for service within this State at the time of the foal's conception.
- b) A mare (dam) of an Illinois conceived and foaled horse must be in the State a total of 30 consecutive days that includes the foaling date.
- c) Foals produced by embryo transfer procedures will be eligible for the program provided the conception of the donor mare occurred within the State, the birth of the foal occurred within the State, the owners of the mare or their authorized representative provide all information concerning markings, identity and location of the recipient mare, and all applicable requirements of the American Quarter Horse Association are met.

(Source: Added at 25 Ill. Reg. 7679, effective JUN 18 2001)

Section 290.265 Registration for Illinois Conceived and Foaled Horses

- a) An application for foal registration for an Illinois conceived and foaled quarter horse foal must be filed with the Department within 10 days after foaling. The application shall be made on forms provided by the Department. The forms shall be completed by the owners of the foal or their authorized representative and that person shall provide all the information required. The foal must remain in the State until it has been identified by a Department representative or until written notice that the foal application has been accepted and the foal registration is issued by the Department.

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- b) Procedures for Registration of Illinois Conceived and Foaled Quarter Horses

- 1) The owners of the foal, or their authorized representative, shall complete an application for foal registration showing the name of the mare (dam), the name of the sire, the date and location of foaling, and the color, sex and markings of the foal.
- 2) If the foal has met all the requirements for registration, a Foal Registration Eligibility Certificate will be issued.
- 3) In the event of a sale or transfer of ownership of a quarter horse foal registered with the Department, the transfer of ownership shall be executed on the front of the Foal Eligibility Registration Certificate for the foal and the endorsed certificate forwarded to the Department. A new certificate will be issued to the new owners.
- c) All Illinois conceived and foaled quarter horses foaled prior to June 25, 1999 who are inspected, identified and certified may be issued a Foal Eligibility Registration Certificate for Illinois conceived and foaled quarter horses.
- d) In the case of a quarter horse that was conceived and foaled in Illinois, but for whom a birth certificate and/or an application for registration was not filed with the Department, the present owners may make application to the Department for registration of the horse. The applicant shall meet all the requirements of this Subpart concerning the registration of an Illinois conceived and foaled quarter horse, and in addition must provide evidence to assure that the horse qualifies for registration as an Illinois conceived and foaled quarter horse.

(Source: Added at 25 Ill. Reg. 7679, effective JUN 18 2001)

Section 290.270 Quarter Horse Racing at County Fairs or Other Locations

- a) A county fair or other location, upon approval of the Department, may conduct quarter horse races for Illinois conceived and foaled quarter horses in compliance with the conditions established in this Section.
- b) The president and secretary, or his/her authorized representative, of the racing event claiming benefits of any distribution from the Illinois Racing Quarter Horse Breeders Fund shall file with the Department, within 7 days after the last racing day, a document stating the amount of purses contributed by the county fair or other location, the names and addresses of those owners who received Illinois Racing Quarter Horse Breeders Fund purse money and the amount each horse owner received.
- c) All races that receive funds from the Illinois Racing Quarter Horse Breeders Fund must be conducted in accordance with the rules of the American Quarter Horse Association.

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(Source: Added at 25 Ill. Reg. 7679, effective )

Section 290.275 Illinois Conceived and Foaled Quarter Horse Races at the Illinois State Fair and Du Quoin State Fair

- a) All quarter horse races held at the Illinois State Fair or the Du Quoin State Fair that receive funds from the Illinois Racing Quarter Horse Breeders Fund shall be conducted in accordance with the rules of the American Quarter Horse Association unless otherwise modified by rule of the Illinois Racing Board (see 11 Ill. Adm. Code 1440).
- b) To qualify to race at the Illinois State Fair or Du Quoin State Fair in races for Illinois conceived and foaled quarter horses, a horse must be registered by the Department as an Illinois conceived and foaled quarter horse.
- c) Nominating, Sustaining and Entry Fees. All nominating, sustaining and entry fees for races sponsored by the Department of Agriculture through the Illinois Racing Quarter Horse Breeders Fund shall be paid to the Department or its authorized agent. All fees received from these payments shall be kept by the Department to be used for the benefit of entrants in specific races in accordance with the provisions of 30 ILCS 105/25(i). These monies shall be paid out as a part of the purse for each respective race.

(Source: Added at 25 Ill. Reg. 7679, effective )

Section 290.280 Quarter Horse Racing at Illinois Pari-mutuel Racetracks

With the advice and assistance of the Illinois Racing Quarter Horse Breeders Fund Advisory Board, a budget may be established each year to provide money for:

- a) stakes races for Illinois registered quarter horses;
- b) owners' awards for Illinois registered quarter horses finishing first, second, third, fourth and fifth in open races conducted at Illinois pari-mutuel racetracks;
- c) an Illinois stallion stakes program;
- d) purses for races during the Illinois State Fair and the Du Quoin State Fair;
- e) purses for races at Illinois county fairs; and
- f) purses for races at other locations in Illinois.

(Source: Added at 25 Ill. Reg. 7679, effective )

DEPARTMENT OF HUMAN SERVICES  
NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Food Stamps
  - 2) Code Citation: 89 Ill. Adm. Code 121
  - 3) Section Numbers: 121.63  
Adopted Action: Amendment
  - 4) Statutory Authority: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].
  - 5) Effective Date of Amendment: June 7, 2001
  - 6) Does this rulemaking contain an automatic repeal date? No
  - 7) Does this amendment contain incorporations by reference? No
  - 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
  - 9) Notice of Proposal Published in Illinois Register: 2/9/01, 25 Ill. Reg. 2258
  - 10) Has JCAR Issued a Statement of Objection to this amendment? No
  - 11) Differences between proposal and final version: In Section 121.63 (f)(2), changed CFR from "1990" to "2000", also in 121.63(g)(5), 121.63(g)(6) and 121.63(h).
  - 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
  - 13) Will this amendment replace an emergency amendment currently in effect? Yes
  - 14) Are there any other amendments pending on this Part: Yes
- | Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|----------------------------|
| 121.55 & 121.92 | Amendment       | 4/13/01 25 Ill. Reg. 5175  |
| 121.57          | Amendment       | 4/20/01 25 Ill. Reg. 5559  |
| 121.58          | Amendment       | 4/20/01 25 Ill. Reg. 5559  |
| 121.93          | Amendment       | 4/20/01 25 Ill. Reg. 5559  |
| 121.151         | Amendment       | 5/11/01 25 Ill. Reg. 6003  |

- 15) Summary and Purpose of Amendment: This amendment change increases the State Utility Standard effective February, 2001 for computation of Food Stamp benefits. This amendment change is an emergency change due to the



DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENT

anticipated increase in heating costs this winter. This was an agency initiative to respond to the needs of Illinois' low income population who depend on the Food Stamp program to provide adequate nutrition for themselves and their families.

16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Susan Weir, Bureau Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
3rd Floor, Harris Bldg.  
Springfield, Illinois 62762  
(217) 785-9772

The full text of adopted amendment begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121  
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

Section
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121.3
121.4
121.5
121.6
121.7
121.10

- Application for Assistance
- Time Limitations on the Disposition of an Application
- Approval of an Application and Initial Authorization of Assistance
- Denial of an Application
- Client Cooperation
- Emergency Assistance
- Expedited Service
- Interviews

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

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- Work Requirement
- Ending a Voluntary Quit Disqualification (Repealed)
- Citizenship
- Residence
- Social Security Numbers
- Work Registration/Participation Requirements
- Individuals Exempt From Work Registration Requirements
- Failure to Comply with Work Provisions
- Period of Sanction
- Voluntary Job Quit/Reduction in Work Hours
- Good Cause for Voluntary Job Quit/Reduction in Work Hours
- Exemptions from Voluntary Quit/Reduction in Work Hours Rules

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

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- Unearned Income
- Exempt Unearned Income
- Education Benefits
- Unearned Income In-Kind
- Lump Sum Payments and Income Tax Refunds
- Earned Income
- Budgeting Earned Income
- Exempt Earned Income
- Income from Work/Study/Training Programs
- Earned Income from Roomer and Boarder

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## SUBPART D: ELIGIBILITY STANDARDS

## Section

121.60  
121.61  
121.62  
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121.64

Net Monthly Income Eligibility Standards  
Gross Monthly Income Eligibility Standards  
Income Which Must Be Annualized  
Deductions From Monthly Income  
Food Stamp Benefit Amount

## SUBPART E: HOUSEHOLD CONCEPT

## Section

121.70  
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121.73  
121.74  
121.75  
121.76

Composition of the Assistance Unit  
Living Arrangement  
Nonhousehold Members  
Ineligible Household Members  
Strikers  
Students  
Households Receiving AFDC, SSI, Interim Assistance and/or GA -  
Categorical Eligibility

## SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

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Fraud Disqualification (Renumbered)  
Initiation of Administrative Fraud Hearing (Repealed)  
Definition of Fraud (Renumbered)  
Notification To Applicant Households (Renumbered)  
Disqualification Upon Finding of Fraud (Renumbered)  
Court Imposed Disqualification (Renumbered)  
Monthly Reporting and Retrospective Budgeting (Repealed)  
Monthly Reporting (Repealed)  
Retrospective Budgeting  
Issuance of Food Stamp Benefits  
Replacement of the EBT Card or Food Stamp Benefits  
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Client Training for the Electronic Benefits Transfer (EBT) System  
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Recertification of Eligibility  
Residents of Shelters for Battered Women and their Children  
Fleeing Felons and Probation/Parole Violators  
Incorporation By Reference  
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Definition of Intentional Violations of the Program  
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Notification To Applicant Households  
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## SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

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Persons Required to Participate  
Participation and Cooperation Requirements  
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Assessment and Employability Plan  
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Sanctions  
Good Cause for Failure to Cooperate  
Supportive Services  
Conciliation and Fair Hearings  
Types of Claims (Recodified)  
Establishing a Claim for Intentional Violation of the Program (Recodified)  
Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)  
Collecting Claim Against Households (Recodified)  
Failure to Respond to Initial Demand Letter (Recodified)  
Methods of Repayment of Food Stamp Claims (Recodified)  
Determination of Monthly Allotment Reductions (Recodified)  
Failure to Make Payment in Accordance with Repayment Schedule (Recodified)



## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENT

## 121.208 Suspension and Termination of Claims (Recodified)

## SUBPART I: WORK REQUIREMENT FOR FOOD STAMPS

## Section

- 121.220 Work Requirement Components
- 121.221 Meeting the Work Requirement with the Earnfare Component
- 121.222 Volunteer Community Work Component
- 121.223 Work Experience Component
- 121.224 Supportive Service Payments to Meet the Work Requirement
- 121.225 Meeting the Work Requirement with the Illinois Works Component
- 121.226 Meeting the Work Requirement with the JTPA Employability Services Component

**AUTHORITY:** Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

**SOURCE:** Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENT

18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding Section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg.



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15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; peremptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 27, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 3427, effective February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994; amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective March 31, 1995; amended at 19 Ill. Reg. 6648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13595, effective October 1, 1995; amended at 20 Ill. Reg. 1593, effective January 11, 1996; peremptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. 7902, effective June 1, 1996; amended at 20 Ill. Reg. 11935, effective August 14, 1996; emergency amendment at 20 Ill. Reg. 13381, effective October 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 13668, effective October 8, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 3156, effective February 28, 1997; amended at 21 Ill. Reg. 7733, effective June 4, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; emergency amendment at 22 Ill. Reg. 1954, effective January 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 5502, effective March 4, 1998; amended at 22 Ill. Reg. 7969, effective May 15, 1998; emergency amendment at 22 Ill. Reg. 10660, effective June 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12167, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16230, effective September 1, 1998; amended at 22 Ill. Reg. 19787, effective October 28, 1998; emergency amendment at 22 Ill. Reg. 19934, effective November 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 20099, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 2601, effective February 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 3374, effective March 1, 1999; amended at 23 Ill. Reg. 7285, effective June 18, 1999; emergency amendment at 23 Ill. Reg. 13253, effective October 13, 1999, for a maximum of 150 days; emergency amendment at 24 Ill. Reg. 3871, effective February 24, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 4180, effective March 2, 2000; amended at 24 Ill. Reg. 10198, effective June 27, 2000; amended at 24 Ill. Reg. 15428, effective October 10, 2000; emergency amendment at 24 Ill. Reg. 15468,

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effective October 1, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 845, effective January 5, 2001; amended at 25 Ill. Reg. 2423, effective January 25, 2001; emergency amendment at 25 Ill. Reg. 2439, effective January 29, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 3707, effective March 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 7720, effective JUN 17 2001.

## SUBPART D: ELIGIBILITY STANDARDS

## Section 121.63 Deductions From Monthly Income

- a) The deductions described in this Section shall be allowed in the determination of the adjusted net monthly food stamp income.
- b) Earned Income Deduction. Eighty percent of total gross earned income is considered. See Sections 121.40 through 121.54 for a description of earned income.
- c) Standard Deduction. The standard deduction is \$134 per household per month.
- d) Dependent Care Deduction
  - 1) The dependent care deduction consists of payments for the care of a child or other dependent when necessary for a household member to accept or continue employment or to seek employment in compliance with the job search criteria (contained in 89 Ill. Adm. Code 112.70 through 112.73) or to attend training or pursue education which is preparatory for employment.
  - 2) The amount of the deduction is to be determined by the actual costs for care and is not to exceed \$200 per month for each child under age 2 and \$175 per month for each other dependent household member.
- e) Child Support Deduction. The child support deduction is the amount of legally obligated child support paid by a household member to or for a nonhousehold member.
- f) Shelter Costs Deduction
  - 1) The shelter deduction is the amount of shelter costs that exceeds 50% of the household's total income after the allowable deductions in subsections (b), (c), (d), and (e) of this Section have been made. The shelter deduction shall not exceed \$300.
  - 2) If the household contains a member who is elderly or disabled, as defined at 7 CFR 271.2 (2000) †1990† and Section 121.61, there is no limit on the amount of the excess shelter deduction.
  - 3) Shelter costs include only the following:
    - A) continuing charges for the shelter occupied by the household (rent, mortgage and other charges leading to the ownership of the shelter, including interest on such charges);
    - B) property taxes, State and local assessments and insurance on the structure itself; and
    - C) utility costs, as described in subsection (g) of this Section.



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## NOTICE OF ADOPTED AMENDMENT

- 4) Shelter costs for a home temporarily unoccupied by the household because of employment or training away from home, illness or abandonment caused by a natural disaster or casualty loss, if:

- A) the household intends to return to the home;
- B) the current occupants of the home, if any, are not claiming the shelter costs for food stamp purposes; and
- C) the home is not leased or rented during the absence of the household.

- 5) Charges for repair of a home which was damaged or destroyed due to a natural disaster. Shelter costs shall not include repair charges which have been or will be reimbursed by private or public relief agencies, insurance companies or any other source.

## g) Utility Costs

- 1) Utility costs include:

- A) the cost of heating and cooking fuel, air conditioning, electricity, water, sewerage, garbage and trash collection;
- B) basic service fee for one telephone (including tax on the basic fee) of \$27.00; and
- C) fees charged by the utility provider for initial installation.

- 2) Utility deposits are not considered to be utility costs.

- 3) Except for households that claim utility expenses for an unoccupied home, either the air conditioning/heating standard or the electricity standard must be used if the household is billed for air conditioning, heating or electricity. See Section 121.63(g)(7) for households that claim utility expenses for an unoccupied home. Households that are billed for heating or air conditioning, or both, or heating, air conditioning and electricity, must use the air conditioning/heating standard allowance of \$255 \$222. Those households that are not billed for air conditioning or heating but are billed for electricity must use the electricity standard allowance of \$151 \$147. Households living in rental housing who are billed on a regular basis by a landlord for costs for air conditioning, heating, or electricity must use the appropriate standard. If the air conditioning/heating standard allowance or the electricity standard allowance is used, then no other utility costs may be claimed. If actual utility costs are allowed because the household does not qualify for either standard, then actual, verified costs may be claimed, except that if a separately-billed phone expense is claimed only the basic telephone allowance of \$27 per month is allowed.

- 4) A household that is billed less often than monthly for its costs for heating, air conditioning, or electricity must continue to use the air conditioning/heating standard allowance or the electricity standard allowance, whichever is appropriate, between billing months.

- 5) Households in public housing or privately-owned rental units that

## DEPARTMENT OF HUMAN SERVICES

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receive a bill for over-usage are not entitled to use the air conditioning/heating standard allowance or the electricity standard allowance. When households (as defined at 7 CFR 273.1(a) (2000) †1990†) live together, the air conditioning/heating standard allowance or the electricity standard allowance, whichever is appropriate, shall be divided equally among the households that contribute toward the utility costs whether or not each household participates in the program.

- 6) Households whose expense for heat or electricity, or both, is covered by indirect energy assistance payments under the Illinois Home Energy Assistance Program (47 Ill. Adm. Code 100) shall be entitled to the air conditioning/heating standard allowance or the electricity standard allowance, whichever is appropriate (7 CFR 273.9 and 273.10(d)(6) (2000) †1990†). The provisions of subsection (f)(3) of this Section are applicable to households whose expenses for heating or electricity, or both, are covered by indirect energy assistance payments.

- 7) When the household claims a utility expense for an unoccupied home (as defined in Section 121.63(f)(4), actual utility expenses are allowed for the unoccupied home as well as the current residence. The air conditioning/heating standard or the electricity standard is not used for either home. The appropriate utility standard may be used if the household chooses not to claim utilities for the unoccupied home.

- h) Excess Medical Deduction. A deduction for excess medical expenses shall be allowed for households which contain an elderly or disabled member as defined at 7 CFR 271.2 (2000) †1990† and Section 121.61. The medical expenses incurred by the qualifying household member which are over \$35 will be deducted, if the expenses will not be reimbursed by insurance or a third party.

(Source: Amended at 25 Ill. Reg. effective  
JUN 7 1991 7730 --)

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Certificates of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) Section Numbers:  
1010.420 Adopted Action:  
1010.421 Amendment  
Amendment
- 4) Statutory Authority: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 3 and 2-104(b)].
- 5) Effective Date of Amendments: June 6, 2001
- 6) Do these amendments contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: March 2, 2001, 25 Ill. Reg. 3230

- 10) Has JCAR issued a Statement of Objection to these amendments? No

- 11) Differences between proposal and final version: In Section 1010.421(b)(3), the instructions for preparing the Temporary Registration Permit (TRP) plates for installation on a vehicle were changed to reflect a change in manufacturing process of the TRP plates. In Section 1010.421(b)(9), the provisions for issuing a second or subsequent TRP plate by any issuer other than the Secretary of State were deleted to reflect a decision that only Secretary of State facilities may issue a second or subsequent TRP plate.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

- 13) Will these amendments replace emergency amendments currently in effect?  
No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments: These amendments provide for the issuance of motor vehicle temporary registration permits (TRP) in the format of a standard license plate rather than as a paper card; require the TRP plates to be displayed on vehicles in the space designed for the

## SECRETARY OF STATE

## NOTICE OF ADOPTED AMENDMENTS

permanent rear license plate; require the issuers of TRPs to notify the Secretary of State via the Internet when a TRP has been issued, including providing the TRP number and information as to the vehicle and persons or entity to which it was issued; thus allowing the Secretary of State to enter this information into the Law Enforcement Agencies' Data System (LEADS) so it may be available to law enforcement officers.

The purpose of this program is to enhance public safety and to assist police agencies in carrying out their official duties by making the TRP less susceptible to counterfeiting, and providing a TRP number that is discernable from a distance and verifiable through LEADS.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Nathan Maddox  
Office of the Secretary of State  
Assistant General Counsel  
Howlett Building, Room 298  
Springfield IL 62756  
(217)785-3094 - telephone

The full text of the adopted amendments begins on the next page:



SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATE

PART 1010

CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

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Owner--Application of Term  
Secretary and Department

Vehicle B: TITLES

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1010.110

Salvage Certificate-Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate  
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Application for Registration  
Vehicles Subject to Registration-Exceptions  
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Section

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1010.425 Non-Resident Drive-Away Permits  
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1010.451 Purple Heart License Plates  
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Vehicle F: FEES

Section

1010.510 Determination of Registration Fees  
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Section

1010.610 Unlawful Acts, Fines and Penalties  
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- Section 1010.705 Reciprocity  
 1010.710 Vehicle Proration  
 1010.715 Proration Fees  
 1010.720 Vehicle Apportionment  
 1010.725 Trip Leasing  
 1010.730 Intrastate Movements, Foreign Vehicles  
 1010.735 Interline Movements  
 1010.740 Trip and Short-term Permits  
 1010.745 Signal 30 Permit for Foreign Registration Vehicles (Repealed)  
 1010.750 Signal 30-Year-round for Prorated Fleets of Leased Vehicles (Repealed)  
 1010.755 Mileage Tax Plates  
 1010.756 Suspension or Revocation of Illinois Mileage Weight Tax Plates  
 1010.760 Transfer for "For-Hire" Loads  
 1010.765 Suspension or Revocation of Exemptions as to Foreign Registered Vehicles  
 1010.770 Required Documents for Trucks and Buses to detect "intrastate" movements  
 1010.775 Certificate of Safety

APPENDIX A Uniform Vehicle Registration Proration and Reciprocity Agreement

APPENDIX B International Registration Plan

AUTHORITY: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 3 and 2-104(b)].

SOURCE: Filed and effective December 15, 1970; emergency amendment at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendment at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill.

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Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990; amended at 14 Ill. Reg. 19066, effective November 15, 1990; amended at 15 Ill. Reg. 12782, effective August 15, 1991; amended at 16 Ill. Reg. 12587, effective August 1, 1992; amended at 19 Ill. Reg. 11947, effective August 1, 1995; amended at 19 Ill. Reg. 16289, effective November 27, 1995; amended at 20 Ill. Reg. 11349, effective August 1, 1996; amended at 21 Ill. Reg. 8408, effective June 23, 1997; amended at 21 Ill. Reg. 13372, effective September 17, 1997; amended at 22 Ill. Reg. 8521, effective April 28, 1998; amended at 22 Ill. Reg. 22059, effective January 1, 1999; amended at 25 Ill. Reg. 7731, effective

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## SUBPART E: SPECIAL PERMITS AND PLATES

## Section 1010.420 Temporary Permit Pending Registration In Illinois

## a) General Provisions

- 1) For the purpose of this Part, Illinois Temporary Registration Permit (hereinafter referred to as Temporary Permit) shall refer to a temporary card or plate, issued or provided by the Secretary of State, which allows the operation of a vehicle after proper application has been made and fees received, until the receipt of registration plates and/or sticker.

- 2) The Secretary of State shall determine whether Temporary Permits are to be issued in the form of Temporary Permit cards or Temporary Permit plates or both, and shall prescribe the form and content of the Temporary Permit card and plate. If Temporary Permit plates are utilized, they shall include both a standard size plate and a reduced size plate for use on motor driven cycles or motorcycles. The Secretary of State shall issue the Temporary Permit and no other document shall be deemed a valid Temporary Permit. This provision shall in no way be construed as restricting the provisions of Section 3-401 of the Illinois Vehicle Code.

- 3) The Secretary of State shall determine whether an issuer of Temporary Permits will be authorized to issue Temporary Permit cards or Temporary Permit plates or both. If the Secretary of State determines that only Temporary Permit plates are to be issued in Illinois, entities authorized to issue Temporary Permits pursuant to Section 1010.421 of this Part shall have the necessary computer hardware, software and communication devices for accessing the Secretary of State's Internet site for the registration of Temporary Permit plates.

- 4) The Temporary Permit shall not be valid for more than 60 days--(90 days for--vanity--and--personalized--plates) from the date of issuance, unless extended or reduced at the discretion of the Secretary of State. In exercising that discretion, the Secretary



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of State shall take into consideration the following factors:

- A) The nature and type of application;
  - B) The availability of the registration plates and/or stickers applied for;
  - C) The processing time for the application;
  - D) Other relevant matters affecting the issuance thereof.
- In any event, once the applied-for registration plates and/or stickers have been issued to and received by the applicant, the Temporary Permit is void.

54) The Temporary Permit card or plate must be displayed on the vehicle for which it is issued as follows:

- A) The Temporary Permit card may be displayed in the lower left corner of the back window;
- B) The Temporary Permit card may be displayed in the lower left corner of the front window;
- C) The Temporary Permit card may be displayed in the lower right corner of the front window;
- D) The Temporary Permit plate shall be securely attached to the rear of the vehicle in the space designed for the permanent registration plate, consistent with the provisions of Section 3-413(b) of the Illinois Vehicle Code.

The Temporary Permit must be removed upon receipt of the registration plates and/or sticker. The Temporary Permit is not transferable from one person to another, nor from vehicle to vehicle.

b) Newly Acquired Vehicles

A Temporary Permit to operate a newly acquired vehicle for which a valid application for title and registration has been filed, accompanied with the proper fees, may be issued by or for the Secretary of State to the buyer of such vehicle, pending action upon said application.

c) Renewal Registrations

In the event that an individual fails to renew a registration plate or sticker upon expiration, a Temporary Permit may be issued only by a Secretary of State facility, or remittance agent, and only under the following circumstances:

- 1) The applicant presents proof of ownership of the vehicle through a title, preprinted application, I.D. Card, or through verification of ownership some by the records of the Secretary of State.
  - 2) The applicant presents payment of all fees due.
  - 3) The renewal registration plates and/or stickers are not readily available at a financial institution, as defined in Section 1010.240 of this Part.
  - 4) The appropriate registration stickers or registration plates are not immediately available at a facility.
- d) Miscellaneous Provisions
- The Secretary of State may also issue Temporary Permits only at

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official State of Illinois facilities in any of the following situations:

- 1) If an individual has made application for registration, either renewal or otherwise, prior to expiration and does not receive the registration by the expiration date. The individual must present proof thereof acceptable to the Secretary of State;
- 2) Any situation where the individual makes proper application for title and registration, or registration alone, and the Secretary of State is unable to issue the appropriate registration at that time.

(Source: Amended at 25 Ill. Reg. effective  
JUN 16 2003 773133)

Section 1010.421 Issuance of Temporary Registration Permits by Persons or Entities Other Than the Secretary of State

- a) In addition to the issuance of Temporary Permits to specific applicants, the Secretary of State may supply issue, upon request, blank Temporary Permit cards or Temporary Permit plates Permits to the following for issuance completion by them, provided they have the necessary computer hardware, software and communication devices for accessing the Secretary of State's Internet site for the registration of Temporary Permit plates:

1) Licensed vehicle dealers registered and in good standing with the Secretary of State. Each dealer may issue Temporary Permits only to persons purchasing vehicles from that dealer and only after application for title and registration has been completed. The Secretary shall, upon determination by any court proceeding or at an administrative hearing, decline to issue such permits to any dealer or demand return of unused permits for violating any provision of the Illinois Vehicle Code, or any administrative rule adopted pursuant to the Vehicle Code, for the failure to keep records required by this Section, or for any other violation relating to the use or issuance of Temporary Permits. All dealers receiving such Temporary Permits shall maintain records reflecting the information required for completion of the Temporary Permit card or the receipt form for a Temporary Permit Plate of--all--Temporary-Permits-issued-as-prescribed-in-Section 5-401-2-of-the-Illinois-Vehicle-Code. Failure to do so could result in the denial, revocation, or suspension of a dealer's license under Section 5-501 of the Illinois Vehicle Code.

2) Licensed remittance agents registered and in good standing with the Secretary of State. Each Remittance Agent remittance-agent may issue Temporary Permits only to persons whose applications the remittance agent accepts for transmittal to the Secretary of State. The Secretary shall, upon determination by any court proceeding or at an administrative hearing, decline to issue such



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permits to any remittance agent or demand return of unused permits for violating any provision of the Illinois Vehicle Code, or any administrative rule adopted pursuant to the Vehicle Code, for failure to keep records required by this Section, or for any other violation relating to the use or issuance of Temporary Permits. All Remittance Agents receiving such Temporary Permits shall maintain records thereof reflecting the information required for completion of the Temporary Permit card or the receipt form for a Temporary Permit as prescribed in Section 3-910 of the Illinois Vehicle Code. Failure to do so could result in the denial, revocation, or suspension of a Remittance Agent's license under Sections 3-906 and 3-907 of the Illinois Vehicle Code.

3) Currency Exchanges licensed by, and in good standing with, the Department of Financial Institutions. Currency Exchanges shall complete and submit an application in a manner prescribed by the Secretary of State to be eligible to receive Temporary Permits Permit-books. Each Currency Exchange may issue Temporary Permits only to persons whose applications the Currency Exchange accepts for transmittal to the Secretary of State. A Temporary Permit may only be issued in connection with an application for title and registration or registration only, but may not be issued in connection with an application for renewal of a registration. All Currency Exchanges receiving Temporary Permits shall maintain records of their the issuance thereof, reflecting the information required for completion of contained in the Temporary Permit card or the receipt form for a Temporary Permit plate. The Secretary shall, upon determination by any court proceeding or at an administrative hearing, decline to issue Temporary Permits to any Currency Exchange that has committed any violation of the Illinois Vehicle Code, or any administrative rule adopted pursuant to the Vehicle Code thereof, for failure to keep records required by this Section herein, or for any other violation relating to the use or issuance of Temporary Permits.

b) Issuers of Temporary Permits must be in compliance with the following:

1) Temporary permits shall be issued in numerical sequence as received from the Secretary of State. Temporary Permit plates shall be issued only in conjunction with applications for vehicle registration and all required information regarding the Temporary Permit plate shall be completed on the vehicle registration application form.

2) Contemporaneous with the issuance of a Temporary Permit plate, the issuer shall access the Secretary of State's Internet site for the registration of Temporary Permit plates and enter all requested information with regard to the vehicle for which the Temporary Permit plate was issued and the individual(s) or entity to which the Temporary Permit plate was issued. When accessing the Secretary of State's Internet site and entering information,

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issuers shall comply with all protocols provided by the Secretary of State, including, but not limited to, user identification procedures and password.

3) Prior to delivering a Temporary Permit plate to the applicant or attaching a Temporary Permit plate to a vehicle, the issuer shall lift the clear overlay covering the expiration date area, blacken in with a permanent black marker the month and year during which the Temporary Permit will expire, making certain to blacken in the entire box including the portion of the silver hologram strip running through the box designating the month, and remove the white backing from the overlay and apply the overlay securely over the expiration date area.

4) Temporary Permit plates issued for motor driven cycles or motorcycles shall be of the reduced size designed for motor driven cycles or motorcycles.

52) Temporary permits shall be issued only by the Dealer, Remittance Agent, or Currency Exchange that received the Temporary Permit from the Secretary of State.

63) Temporary Permit permits cards and Temporary Permit plates receipt forms shall contain all of the information requested, where applicable. The original of the plate receipt form shall be given to the applicant and the copy shall be maintained by the issuer.

74) Temporary Permit permits cards and Temporary Permit plate receipt forms shall bear the name of the issuing entity and the signature of the issuing employee.

85) Issuers of Temporary Permits shall reimburse the Secretary of State \$50 per Temporary Permit permit for lost, missing, stolen, or destroyed Temporary Permits permits. The Secretary of State shall have the discretion to waive this fee upon satisfactory proof that the Temporary Permits were destroyed by fire or flood, or stolen in connection to a theft of the premises. In the decision to waive the fee, the Secretary of State shall consider whether an insurance claim or police report was filed, or other evidence suggesting that the issuer's loss is the result of fire, flood, or theft of the premises.

96) Issuers shall maintain copies of all Temporary Permit cards and receipt forms for all Temporary Permit plates Permits issued for a period of 3 years. When a second or subsequent Temporary Permit is issued for the same vehicle, the original Temporary Permit must be attached to the duplicate of the replacement Temporary Permit. If the subsequent Temporary Permit is issued by a different issuer than the original Temporary Permit, the previous permit number and issuance date shall be recorded on the record copy of the subsequent Temporary Permit.

107) When the issuer is no longer engaged in the business of issuing Temporary Permits, the issuer shall return all Temporary Permit temporary permit books from for which Temporary Permits



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were issued, and all unissued Temporary Permit cards and/or plates ~~Permits~~ to the Secretary of State. Issuer shall bear risk of loss until all Temporary Permits are received by the Secretary of State.

c) The Secretary of State shall have free access to the offices and places of business to examine fully all temporary permit books and other business records, documents, and files of the issuer to determine whether such issuer is complying with the provisions of this Section.

d) The issuer is responsible for acts or omissions of issuer's employees while engaged in the distribution of Temporary Permits.

(Source: Amended at 25 Ill. Reg. 7731, effective 1/1/81)

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- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation 92 Ill. Adm. Code 1030
- 3) Section Number: Adopted Action:  
1030.60 Amendment
- 4) Statutory Authority: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I] and authorized by Section 2-104(b) of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].
- 5) Effective Date of Amendment: June 5, 2001
- 6) Does this amendment contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: 25 Ill. Reg. 2687 (February 16, 2001)
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Difference between proposal and final version: Non-substantive changes.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements by JCAR? Yes
- 13) Will this amendment replace any emergency amendment currently in effect?  
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This administrative rule is being amended to include language that was omitted from a previous amendment of this Section.
- 16) Information and questions regarding this adopted amendment shall be directed to:  
Robert W. Mueller  
Office of the Secretary of State  
Assistant General Counsel  
Driver Services Department  
2701 S. Dirksen Parkway  
Springfield, IL 62723

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The full text of the adopted amendment begins on the next page:

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## TITLE 92: TRANSPORTATION

## CHAPTER II: SECRETARY OF STATE

## PART 1030

## ISSUANCE OF LICENSES

Section	
1030.10	What Persons Shall Not be Licensed or Granted Permits
1030.11	Procedure for Obtaining a Driver's License
1030.13	Denial of License or Permit
1030.15	Cite for Re-examination
1030.16	Physical and Mental Evaluation
1030.17	Errors in Issuance of Driver's License/Cancellation
1030.18	Medical Criteria Affecting Driver Performance
1030.20	Classification of Drivers-References
1030.30	Classification Standards
1030.40	Fifth Wheel Equipped Trucks
1030.50	Bus Driver's Authority, Religious Organization and Senior Citizen Transportation
1030.55	Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60	Third-Party Certification Program
1030.63	Religious Exemption for Social Security Numbers
1030.65	Instruction Permits
1030.70	Driver's License Testing/Vision Screening
1030.75	Driver's License Testing/Vision Screening with Vision Aid
	Arrangements Other Than Standard Eye Glasses or Contact Lens(es)
1030.80	Driver's License Testing/Written Test
1030.81	Endorsements
1030.84	Vehicle Inspection
1030.85	Driver's License Testing/Road Test
1030.86	Multiple Attempts - Written and/or Road Tests
1030.88	Exemption of Facility Administered Road Test
1030.89	Temporary Licenses
1030.90	Requirement For Photograph and Signature of Licensee on Driver's License
1030.91	Disabled Person/Handicapped Identification Card
1030.92	Restrictions
1030.93	Restricted Local Licenses
1030.94	Duplicate or Corrected Driver's License or Instruction Permit
1030.95	Consular Licenses
1030.96	Restricted Commercial Driver's License
1030.97	Invalidation of a Driver's License, Permit and/or Driving Privilege
1030.98	School Bus Commercial Driver's License
1030.100	Anatomical Gift Donor
1030.110	Emergency Medical Information Card
1030.115	Change-of-Address
1030.120	Issuance of a Probationary License
1030.130	Grounds for Cancellation of a Probationary License



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APPENDIX A Questions Asked of a Driver's License Applicant  
APPENDIX B Acceptable Identification Documents

**AUTHORITY:** Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

**SOURCE:** Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendment at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days; emergency expired on December 13, 1992; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendment at 17 Ill. Reg. 1219, effective January 13, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993; amended at 17 Ill. Reg. 7065, effective May 3, 1993; amended at 17 Ill. Reg. 8275, effective May 24, 1993; amended at 17 Ill. Reg. 8522, effective May 27, 1993; amended at 17 Ill. Reg. 19315, effective October 22, 1993; amended at 18 Ill. Reg. 1591, effective January 14, 1994; amended at 18 Ill. Reg. 7478, effective May 2, 1994; amended at 18 Ill. Reg. 16457, effective October 24, 1994; amended at 19 Ill. Reg. 10159, effective June 29, 1995; amended at 20 Ill. Reg. 3891, effective February 14, 1996; emergency amendment at 20 Ill. Reg. 8358, effective June 4, 1996, for a maximum of 150 days; emergency amendment repealed in response to an objection of the Joint Committee on Administrative Rules at 20 Ill. Reg. 14279; amended at 21 Ill. Reg. 6588, effective May 19, 1997; amended at 21 Ill. Reg. 10992,

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effective July 29, 1997; amended at 22 Ill. Reg. 1466, effective January 1, 1998; emergency amendment at 23 Ill. Reg. 9552, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13947, effective November 8, 1999; amended at 24 Ill. Reg. 1259, effective January 7, 2000; emergency amendment at 24 Ill. Reg. 1686, effective January 13, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6955, effective April 24, 2000; emergency amendment at 24 Ill. Reg. 13044, effective August 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18400, effective December 4, 2000; amended at 25 Ill. Reg. 959, effective January 5, 2001; amended at 25 Ill. Reg. 7742, effective June 5, 2001.

**Section 1030.60 Third-Party Certification Program**

a) The Secretary of State shall adopt the following definitions for the terms listed as follows:

"Branch Facility" - a separate instructional facility operated and directly supervised by a third-party certifying entity at a location different from the principal location of the third-party certifying entity.

"Business Day" - any day on which the Office of the Secretary of State is open; Monday through Saturday, excluding State holidays.

"Candidate-for-Employment-or-by-Membership" - one who is offered a written contract of employment contingent upon successfully completing the training course.

"CDL Skills Test" - test given to an applicant who is attempting to obtain a Commercial Driver's License (CDL).

"Commercial Driver's License (CDL)" - a driver's license issued by a state to a person, which authorizes that person to drive a certain class of commercial motor vehicle or vehicles. [625 ILCS 5/6-500(3)]

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Driver Applicant" - an individual employed by or otherwise a candidate for employment or by membership, with a third-party certifying entity, who participates in the third-party certification program.

"Fraud" - includes anything calculated to deceive, whether it be a single act or combination of circumstances, whether the suppression of truth or the suggestion of what is false, whether it be by direct falsehood or by innuendo, by speech or by



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silence.

"Motor Vehicle" - any properly registered vehicle meeting the description of the vehicle group of the class the driver applicant operates, or expects to operate.

"Non-CDL Skills Test" - any drive test given to an applicant who is attempting to obtain a driver's license except for a D classification, a CDL or a CDL endorsement.

"Passenger Endorsement" - an indication on the driver's license that the driver has qualified to operate a vehicle designed to transport 16 or more persons, including the driver.

"Restriction" - requirement or condition added to a driver's license which must first be met by the license holder before he/she may legally operate a motor vehicle.

"Safety Officer" - any individual employed by a third-party certifying entity who is licensed for the purpose of conducting the skills test to determine for certification purposes that a driver applicant has been tested and meets the same qualifications required by the Secretary of State.

"Secretary of State" - Illinois Secretary of State.

"Third-Party Certification License" - a license issued by the Secretary of State to conduct a qualified third-party certification program, pursuant to Section 6-508 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-508].

"Third-Party Certification Program" - a program designed by the Secretary of State allowing third-party entities to provide to employees ~~and candidates for employment~~ or by membership in a qualified training program of classroom and/or behind-the-wheel testing for the purpose of certifying to the Secretary of State that a driver applicant is qualified to operate a motor vehicle without the Secretary of State having to administer a road test pursuant to Section 6-508 of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-508].

"Third-Party Certifying Entity" - any third-party entity licensed by the Secretary of State to engage in a third-party certification program.

"Training Vehicle" - a motor vehicle registered and insured by a licensed Commercial Driver Training School in accordance with

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Section 6-410 of the Illinois Vehicle Code [625 ILCS 5/6-410] and 92 Ill. Adm. Code 1060.110(d)(7) and used for the sole purpose of training and testing.

b) The Secretary of State shall not require an actual demonstration of the ability of the driver applicant to operate and exercise ordinary and reasonable control of a motor vehicle for purposes of third-party certification programs, if the third-party certifying entity complies with the following requirements:

1) License Required - No person, firm, association, partnership or corporation shall operate a third-party certification program, unless a license has been issued by the Secretary of State.

2) Certify Only Employees or Members - A third-party certifying entity shall certify only those driver applicants who are employed and on the payroll of the entity, or are members at the time of certification.

3) An entity may test and certify individuals who are not employees or members provided the entity meets the following conditions:

A) The entity must own or lease at least 7 training vehicles in the classification for the appropriate skills test.

B) The entity must maintain at least 7 licensed safety officers who must skills test a minimum of 12 employees or candidates for employment or membership within a 12-month period.

C) In the event the entity is a driving school, the instructor who gives the preponderance of training to a driver applicant cannot administer the skills test to the driver applicant.

D) The driver applicant must be a candidate for employment and be eligible to be employed by the third-party entity upon successfully completing and passing all of the requirements of the third-party certification program and obtaining a CDB.

E) The third-party certifying entity must employ 75 percent of those driver applicants who successfully complete the third-party certification program and obtain a CDB.

F) Any applicant for certification as a third-party tester may submit with its application a request for a waiver of the requirement that the third-party tester employ a minimum of 75 percent of those tested. Such request shall include the following:

i) Number of drivers employed by the applicant.

ii) Distance from the Department's nearest driver examination point.

iii) Estimated number of employees per year who will require CDB skills testing.

iv) Additional information to support waiver request.

v) The Department will consider the request and notify the applicant in writing of its decision after



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- 6) Any--fees--due--from--individuals--tested--may--not--be--accepted--by--the--entity--until--after--60--days--after--successful--completion--of--the--training--program--or--the--individual--is--no--longer--employed--by--the--entity--or--has--declined--the--offer--of--employment.
- H) The--entity--must--have--a--training--program--that--meets--the--requirements--contained--in--49--CPR--303.110-121--(1995)--(49--USE--3102--49--USE--App--12701--49--CPR--1.48)--(No--later--amendments--are--incorporated--herein--)
- I) The--entity--must--submit--a--copy--of--its--training--program--to--the--Secretary--of--State--for--approval.
- J) The--entity--must--follow--the--approved--training--course--and--maintain--its--training--records--for--4--years.
- K) The--entity--must--provide--copies--of--contract--forms--between--the--entity--and--individuals--tested--to--the--Secretary--of--State.
- L) The--entity--must--have--a--minimum--of--300--square--feet--of--classroom--space.
- M) Any--third--party--entity--testing--individuals--who--are--not--employees--or--members--will--have--a--sample--percentage--of--certified--driver--applicants--reexamined--annually--in--accordance--with--49--CPR--303.75(a)(2)(iv).

## c) Issuance and Renewal of Licenses

- 1) When an application is submitted for an original third-party certification license, or safety officer license, the applicant or applicants shall not conduct any business as a third-party certifying entity or safety officer until a license is issued by the Secretary of State pursuant to the requirements contained in subsections (d) and (i) of this Section.
- 2) When an application is made for the renewal of an existing third-party certification license or a safety officer license, the applicant shall have the authority to continue to conduct business as a third-party certifying entity or a safety officer until the renewal application is granted or denied by the Department, provided the application has been filed in a timely manner as provided in subsection (f)(4) of this Section. The application for the license shall be made in the same manner as an application for a original third-party certification license or safety officer license.
- 3) Licenses may not be assigned. No individual, partnership, association, or corporation may sell, assign, barter or trade a third-party certification license or safety officer license issued by the Secretary of State.
- 4) The Secretary may allow entities, otherwise ineligible to be licensed as a third-party certifying entity, to conduct a third-party certification program on a trial basis, not to exceed 1 year. At the close of the trial period, the Secretary will

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determine whether the entities participating in the pilot program shall be granted third-party certification entity status under this Section.

## d) Requirements - Third-Party Certification Entities

- 1) The entity shall have at least 1 employee who is licensed or qualified to be licensed as a safety officer for the third-party certification program. Entities--certifying--non-members--or--non-employees--must--employ--7--licensed--safety--officers--as--provided--in--subsection--(b)(3)(B)--of--this--Section.
- 2) The entity shall have a regularly established place of business in the State of Illinois and operate or have access to appropriate vehicles, with the exception of employers having a regular place of business in a contiguous state, e.g., Indiana, Missouri, Wisconsin, Iowa and Kentucky. Any entity having its headquarters in a border state and wishing to participate in the third-party certification program, shall have an appointed agent, for purposes of this program, who is licensed as a safety officer and holds a valid Illinois driver's license or a CDL issued by a contiguous state.
- 3) The entity shall submit to the Department a copy of any subcontract of services described in this Part.
- 4) The entity shall have a prescribed physical driving course for each location and be required to meet a driving skills test with the same minimum standards as the course used for examination by the Secretary of State (92 Ill. Adm. Code 1030.85).
- 5) The entity shall have access to a properly registered motor vehicle which meets the definition of the vehicle group of the classification that the driver applicant operates or expects to operate. Entities--certifying--non-members--or--non-employees--must--maintain--at--least--7--owned--or--leased--training--vehicles--as--provided--in--subsection--(b)(3)(A)--of--this--Section.
- 6) The entity shall provide the driver applicant, who takes and passes the skills tests, with documented proof (Secretary of State's driver test form) of the same, which shall evidence to the Department that the individual has successfully passed the skills tests administered by the third-party certifying entity.
- 7) The entity shall collectively submit completed application forms to the Department for each main office, branch office and safety officer.
- 8) The entity shall have and use a business telephone listing for all business purposes.
- 9) If a licensed safety officer is temporarily suspended, laid-off or discharged by a third-party certifying entity, the entity shall immediately notify the Secretary of State, on forms furnished by the Secretary of State, of the name, address and license number of the safety officer, such officer's termination date and reason for termination. In all cases where a safety officer has ceased working for the third-party certifying entity,

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the safety officer must surrender his/her license to the Secretary of State.

10) Facility

A) The established place of business of each third-party certifying entity must consist of at least the following permanent facilities:

- i) an office facility;
- ii) appropriate space (an area at least 15 feet wide by 100 feet long) to conduct all basic control skills tests (92 Ill. Adm. Code 1030.85).

B) A third-party certifying entity which has an established place of business may operate a branch facility provided the branch facility meets all requirements of the main facility pursuant to subsections (d)(10)(A) and (d)(10)(D) of this Section.

C) Upon receipt by the Secretary of State of a written request to open a branch facility, an authorized representative of the Secretary of State shall inspect the branch facility and, if it complies with the provisions of this Section, shall issue the appropriate license which must be displayed in a visibly prominent place in the branch facility.

D) Location must comply with public health and safety standards contained in the Public Building Egress Act [415 ILCS 55], the Natural Gas Odor Injection Act [430 ILCS 25], and the Environmental Barriers Act [410 ILCS 25].

11) Records - All third-party certifying entities licensed by the Secretary of State must maintain a record showing the name and address of each driver certified by the entity, the instruction permit or driver's license number of every driver certified, and the results of the final skills test, including endorsements, given to each driver applicant, the name of the safety officer who administered the skills test and the license plate number of the vehicle used to conduct the test.

A) All records must be maintained for a period of 4 years.

B) Proof of eligibility for certification and final skills tests results for each driver applicant must be kept at the location where the road test was given.

C) Maintain proof of training course completion for each individual CDL certified who does not hold a valid CDL at the time of testing on the form provided by the Secretary of State, or an equivalent form approved by the Secretary of State.

12) Auditing - CDL Driving Skills Test

A) All third-party certifying entities must allow the Secretary of State and Federal Highway Administration or its representatives to conduct random examinations, inspections and audits without prior notice pursuant to 49 CFR 385.85, including audits of employment records of individuals

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certified by the third-party certification entity.

B) All third-party certifying entities must allow the Secretary of State to conduct on-site inspections at least annually.

C) The Secretary of State or his designee shall annually re-examine a sample percentage of the certified driver applicants to compare pass/fail results and determine the percentage of certified driver applicants employed by the third-party certifying entity.

i) If the results of the random examination reflect a failure rate greater than the current Secretary of State's acceptable failure rate of 20 percent, the third-party entity will be notified in writing of the need to retrain the failed applicants.

ii) The retraining must be completed within 30 days, at which time the trainee must be referred to the Secretary of State to be skills tested.

iii) The Commercial Driver Training School section will determine the location and time of the Secretary of State retests.

13) Display of Licenses - Each third-party certifying entity shall display in a prominent place at the established place of business the following:

A) The State license issued to the third-party certifying entity; and

B) Safety officer licenses of all safety officers employed by the third-party certifying entity.

14) Provide a minimum 2 week training course to each individual who is CDL certified pursuant to the recommendations of the Highway Safety 2000 Advisory Task Force and who does not hold a valid CDL at the time of testing that meets the requirements of 49 CFR 383.110-121 (1995) (49 USC 3102; 49 USC App. 12701; 49 CFR 1.49).

15) The third-party certification entity must provide the Secretary of State with the names of all individuals that were tested and certified from a non-CDL classification to a CDL classification by the entity whose employment/membership has been terminated up to 6 months after the date of certification.

A) The Secretary of State will cite these individuals to be retested in a representative vehicle in order for the individual to maintain the license classification in which they were originally certified.

B) The Secretary of State will provide each entity with a Verification of Continual Employment form to assist the third-party certification entity in determining the names of the individuals who have terminated their employment/membership up to 6 months after being certified.

16) The entity may not have a current unsatisfactory rating from the U.S. Department of Transportation (see 49 CFR 385.3).

e) Skills Tests



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- 1) Any CDL or School Bus skills tests administered by the third-party certifying entity must be conducted by a licensed safety officer as specified in Subparts G and H of 49 CFR 383.
- 2) Driving Skills - The entity shall have a prescribed physical driving course for each location and must be required to administer a skills test with the same minimum standards as that which would be used by the Secretary of State (see 92 Ill. Adm. Code 1030.85).
- 3) Pre-Trip Inspection Skills - Where applicable, the entity shall test and the driver applicant shall demonstrate skills necessary to conduct a pre-trip inspection, which include the ability to:
  - A) locate and verbally identify air brake operating controls and monitoring devices;
  - B) determine the motor vehicle's brake system condition for proper adjustments and that the air system connections between vehicles have been properly made and secured;
  - C) inspect low pressure warning devices to ensure they will activate in emergency situations;
  - D) ascertain, with the engine running, that the system contains an adequate supply of compressed air;
  - E) determine that the required minimum air pressure build up at the time is within acceptable limits and that required alarms and emergency devices automatically deactivate at the proper pressure level; and
  - F) operationally check the brake system for proper performance.
- 4) Restrictions and/or Endorsements - Third-party certification entities conducting road tests for restrictions and/or passenger endorsements must meet a skills test with the same minimum standards as an exam offered by the Secretary of State for the restriction and/or endorsement (see 92 Ill. Adm. Code 1030.92).
- 5) Third-party certifying entities conducting road tests for motorcycle and non-CDL classifications are not bound by subsections (e)(1) through (4) above, but instead must meet a driving skills test prescribed by the Secretary of State for these classifications, and judged by the same minimum standards, and conducted by a licensed safety officer (92 Ill. Adm. Code 1030.85).
  - A) Motorcycle skills tests must include at least the following:
    - i) basic vehicle control skills;
    - ii) safe driving skills;
    - iii) visual search;
    - iv) speed and space management; and
    - v) mounting and dismounting.
  - B) Non-CDL skills tests must include at least the following:
    - i) basic vehicle operation;
    - ii) safe driving skills;
    - iii) speed and attention;
    - iv) lane and right of way observance;

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- v) obeying traffic control devices;
- vi) use of special equipment.
- 6) Require Instruction Permit - Before a driver applicant may be skills tested and certified by a third-party entity, the driver applicant must obtain an instruction permit from the Secretary of State for the specific vehicle classification in which he/she intends to be licensed. The driver applicant must hold a valid instruction permit for a period of at least 2 weeks prior to being skills tested and certified by a third-party entity, if not currently licensed in the classification representative of the vehicle the applicant intends to drive.
- f) Issuance and Renewal of Third-Party Certifying Entity Licenses
  - 1) Issuance of Licenses to Third-Party Certifying Entity - The Secretary of State shall issue a license to conduct a third-party certification program when the Secretary of State is satisfied that the entity applying for a third-party certification license has met the requirements under this Section.
  - 2) All licenses issued to any third-party certifying entity shall remain valid indefinitely unless canceled, suspended or revoked. The Secretary of State shall send affidavits to, and conduct audits of, each licensee annually in order to determine that the licensee remains in compliance with the requirements of this Section. Expiration of--Licenses--All--outstanding--licenses issued to any third-party certifying entity shall expire 3--years from--the--date--the--license--was--issued--unless--sooner--canceled, suspended, or revoked under the provisions of subsection--(g)--of this Section.
  - 3) Renewal of Licenses--The license of each third-party certifying entity may be renewed subject to the same conditions as the original license.
  - 4) Licenses--Form--and--Filing--All--applications for renewal of a license shall be on a form prescribed by the Secretary of State and must be filed with the Secretary of State not less than 30 days preceding the expiration date of the license to be renewed.
- g) Denial, Cancellation, Suspension, and Revocation of Third-Party Certifying Entity Licenses
  - 1) The Secretary of State shall deny an application for a third-party certifying entity license or renewal:
    - A) to any entity that submits a fraudulent application.
    - B) to any entity that currently employs individuals also employed by the Secretary of State.
    - C) to any entity that owes outstanding fees to the Secretary of State.
    - D) to any third-party certifying entity that lacks a safety officer.
    - E) to any third-party certifying entity that fails to meet location standards:
      - i) fails to comply with public health and safety

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standards contained in the Public Building Egress Act [45 ILCS 55], the Natural Gas Odor Injection Act [430 ILCS 25], and the Environmental Barriers Act [410 ILCS 25].

ii) fails to have a telephone that is registered to the third-party certification entity.

F) to any third-party certifying entity with a current unsatisfactory rating from the U.S. Department of Transportation.

G) to any commercial driver training school.

2) The Secretary of State shall cancel a third-party certifying entity license for failing to correct, after being served written notice giving 5 business days to correct, any violation of the following regulations and laws governing third-party entities:

A) the entity employs individuals also employed by the Secretary of State.

B) the entity owes outstanding fees to the Secretary of State.

C) the third-party certifying entity lacks a safety officer.

D) the third-party certifying entity fails to meet location standards:

i) fails to comply with public health and safety standards contained in the Public Building Egress Act [45 ILCS 55], the Natural Gas Odor Injection Act [430 ILCS 25], and the Environmental Barriers Act [410 ILCS 25].

ii) fails to have a telephone that registers to the third-party certification entity.

E) the entity currently has an unsatisfactory rating from the U.S. Department of Transportation.

F) the entity is a commercial driver training school.

3) The Secretary of State shall suspend a third-party certifying entity's license 3 months, depending upon the severity of the infraction, upon evidence of the following:

A) improper recordkeeping in violation of subsection (d)(11) of this Section.

B) failure by the entity's certified driver applicants to pass skills tests upon re-examination, pursuant to subsections (c) and (d)(12) of this Section.

C) any violation of this Part.

D) failure to provide the required training to individuals that were CDL certified and did not hold a valid CDL at the time of testing.

E) failure to notify the Secretary of State with names of individuals that were certified from a non-CDL classification to a CDL classification and whose employment/membership was terminated up to 6 months after the date of certification.

4) The Secretary of State shall suspend a third-party certifying

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entity's license up to 6 months, depending upon the severity of the infraction, upon evidence of the failure to produce records upon demand of the auditing agency.

5) The Secretary of State shall suspend a third-party certifying entity's license up to 1 year, depending upon the severity of the infraction, if it is discovered the entity is certifying applicants who have not obtained instruction permits and/or have not maintained such instruction permits for at least 2 weeks prior to testing and certification.

6) The Secretary of State shall revoke the third-party certifying entity's license upon evidence of the following:

A) the entity submitted a fraudulent application.

B) if the entity engages in or permits any type of fraudulent activity, either with reference to any certified individual or the Secretary of State.

h) Issuance and Renewal of Safety Officer License

1) Issuance of Licenses to Safety Officers - The Secretary of State shall issue a license to each safety officer when the Secretary of State is satisfied that such person has met the qualifications required under this Section. Each third-party certification safety officer license shall authorize the licensee to test for only the employer indicated on the license, except when the safety officer is employed by an entity providing contractual services to the third-party certification entity.

2) An individual may be issued 2 safety officer licenses in the following combinations:

A) as a safety officer for 2 governmental agencies, or

B) as a safety officer for a private entity and a governmental agency.

3) All licenses issued to any safety officer shall remain valid indefinitely unless canceled, suspended or revoked. Expiration of licenses--All outstanding licenses issued to any safety officer shall expire on the date the third-party entity license expires, unless sooner canceled, suspended, or revoked--under--the provisions of subsection (i) of this Section:

4) Renewal of licenses--The license of each safety officer may be renewed subject to the same conditions as the original license.

5) Licenses--Form and Filing--All applications for renewal of a safety officer license shall be on a form prescribed by the Secretary of State and must be filed with the Secretary not less than 30 days preceding the expiration date of the license to be renewed.

i) Safety Officer

1) Requirements. The Secretary of State shall not issue a safety officer license:

A) unless the safety officer applicant is 21 years of age.

B) if the applicant fails to properly make application for such license.



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- C) if the applicant submits a fraudulent application.
- D) if the applicant owes outstanding fees to the Secretary of State.
- E) if the applicant's driver's license is currently canceled, suspended or revoked.
- F) unless the safety officer applicant is employed by a third-party certifying entity.
- G) unless the safety officer applicant has, for at least 2 years immediately preceding application, a valid driver's license in the specific classification in which he/she intends to test and, if intending to skills test school bus permit applicants, a current, valid school bus driver permit.
- H) to any person intending to skills test CDL driver applicants or school bus permit applicants who:
- i) has not completed the third party CDL training session administered by the Secretary of State, Driver Services Department's Commercial Driver Training section. The written test will consist of 30 questions pertaining to Secretary of State Examiners Guide for CDL and will be offered by the department at periodic intervals. In order to pass the written test an individual shall answer at least 24 questions correctly. The third party school bus program will have an additional 10 questions and the individual must answer 8 questions correctly in order to pass.
  - ii) has not passed a CDL skills examination in the classification and/or endorsements in which they intend to skills test. The department will offer this examination at periodic intervals. Each applicant will be given a maximum of 3 opportunities in a twelve month period to pass the commercial driver's license safety officer examination. An applicant for a commercial driver's license safety officer may be allowed to attempt the road test a second time in the same day during normal business hours of the Driver Services facility if he/she fails the first attempt to pass the road test. However, if the applicant demonstrates a danger to the public safety during his/her first attempt to pass a road test, he/she will not be allowed to make a second or subsequent attempt during the same day. An applicant will not be allowed to make a third attempt to pass a road test on the same day in which he/she failed the previous attempt. Individuals who have failed their third examination must wait at least 1 year from the date of the third failure before making a new application.
- I) to any person whose driver's license has been suspended or

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- revoked, within a period of 5 years after the date of application.
- J) to any person who fails to properly make application for such safety officer's license or otherwise indicates that he/she is unqualified to receive such a license.
- K) to any person who is currently a salaried employee of the Secretary of State.
- L) to the applicant who does not meet the requirements provided in subsection (i)(1)(H) of this Section.
- M) to the applicant who does not hold a valid Illinois driver's license or a driver's license from a contiguous state in the classification and/or endorsement in which he/she intends to skills test.
- N) to any applicant who has been convicted of driving while under the influence of alcohol, other drugs, or a combination thereof.
- O) to any individual who has failed to comply with the provisions of this Part.
- P) to any person who is an owner or an instructor of a commercial driver training school.
- 2) Denial of License. The Secretary of State shall deny a safety officer's license upon evidence that:
- A) the applicant has been convicted of driving while under the influence of alcohol, other drugs, or a combination thereof; leaving the scene of an accident; or reckless homicide or reckless driving, or is suspended under Section 6-206(a)(3) of the Illinois Driver Licensing Law of the Illinois Vehicle Code or Section 11-501.1 of the Illinois Rules of the Road of the Illinois Vehicle Code within 5 years prior to the date of application.
  - B) the applicant fails to properly make application for such license.
  - C) the applicant is not employed by a third-party certifying entity.
  - D) the applicant is currently a salaried employee of the Secretary of State.
  - E) the applicant is not at least 21 years of age.
  - F) the applicant submits a fraudulent application.
  - G) the applicant owes outstanding fees to the Secretary of State.
  - H) the applicant's driver's license is currently canceled, suspended or revoked.
  - I) the applicant's driver's license has been suspended or revoked within a period after 5 years of the date of application. However, suspensions related to auto emissions and parking are exempt from the five year period after the suspension is terminated.
  - J) the applicant has not held, for at least 2 years immediately

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preceding application, a valid license in the classification and/or endorsement in which he intends to test, or the equivalent under the classification system prior to April 1, 1990.

K) the applicant does not meet the requirements provided in subsection (i)(1)(H) of this Section.

L) the applicant does not hold a valid Illinois driver's license or a driver's license from a contiguous state in the classification and/or endorsement in which he/she intends to skills test.

M) the applicant is an owner or instructor of a commercial driver training school.

3) The Secretary of State shall immediately cancel a safety officer's license upon evidence that:

A) the individual's driver's license is currently canceled, suspended or revoked.

B) the individual's driver's license has been suspended or revoked within a period of 5 years after the date of application. However, suspensions related to auto emissions and parking are exempt from the 5 year period after the suspension is terminated.

C) the individual has not held, for at least 2 years immediately preceding application, a valid license in the classification in which he/she intends to test or the equivalent under the classification system prior to April 1, 1990, unless it is a CDL classification or endorsement.

D) the individual intends to skills test CDL driver applicants, but has not received training equivalent to that given to Secretary of State examiners administering CDL driving skills tests.

E) the individual is no longer employed by the third-party certification entity or no longer has a valid license.

F) the individual is currently a salaried employee of the Secretary of State.

G) the individual owes outstanding fees to the Secretary of State.

H) the individual fails to administer a minimum of 12 skills tests to candidates for employment or membership as required in subsection (b)(3)(B) of this Section.

I) the individual is an owner or instructor of a commercial driver training school.

4) The Secretary of State shall suspend a safety officer's license:

A) if it is discovered the safety officer is certifying applicants who have not obtained instruction permits, and/or have not maintained such instruction permits for at least 2 weeks prior to testing and certification.

B) for improper record keeping in violation of subsection (d)(b)(11) of this Section; and

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C) upon any violation of this Part.

5) The Secretary of State shall revoke a safety officer's license upon receipt of evidence that:

A) the individual has been convicted of driving under the influence of alcohol, other drugs, or a combination thereof; leaving the scene of an accident; or reckless homicide or reckless driving, or is suspended under Section Sections 6-206(a)(3) or 11-501.1 of the Illinois Vehicle Code within 5 years prior to the date of application.

B) the individual submits a fraudulent application.

C) the individual engages in or permits any type of fraudulent activity, either with reference to a student or the Secretary of State, which includes but is not limited to certifying a person not eligible.

6) The Secretary of State shall have the discretionary authority to issue warning letters to third-party certifying entities or safety officers for violations of the regulations and laws governing commercial driver training schools as found in this Part and Article IV of the Illinois Driver Licensing Law of the Illinois Vehicle Code.

j) Hearings

1) Prior to the denial of a third-party entity and/or safety officer's license, the Department shall send written notice to that person and/or entity. If a formal hearing is requested, the request must be in writing during the notice period. The basis for denial of a license is stated in subsections (g)(1) through (6) and (i)(2)(A) through (L) of this Section.

2) Prior to the suspension or revocation of the license or accreditation of a third-party certifying entity or safety officer, the Department will conduct a hearing in accordance with 92 Ill. Adm. Code 1001, Subpart A and Section 2-118 of the Illinois Vehicle Code [625 ILCS 5/2-118], wherein the Department will present competent evidence to establish violations of any regulations or laws governing third-party entities and/or safety officers and seek the appropriate sanctions in accordance with this Section.

k) Review Under Administrative Law. Judicial Review - The action of the Secretary of State in canceling, suspending, revoking or denying any license under this Act shall be subject to judicial review in the Circuit Court of Sangamon County or the Circuit Court of Cook County, pursuant to Section 2-118 of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-118] and the provisions of the Administrative Review Law [735 ILCS 5/Art. 3]. All the provisions and modifications thereto, and all the rules adopted thereto, are hereby adopted and shall apply to and govern every action for judicial review of the final acts or decisions of the Secretary of State under this Section.



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(Source: Amended at 25 Ill. Reg. 7742, effective  
(10/1/87))

## OFFICE OF BANKS AND REAL ESTATE

## NOTICE OF PUBLIC INFORMATION

NOTICE OF FINE IMPOSED UNDER  
THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(g) of the Residential Mortgage License Act of 1987 ("the Act"), 205 ILCS 635/4-5(g) (1998), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500.00 dollars against Anvil Funding Corp. of Newport Beach, California, License No. 5909, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective June 18, 2001.

## OFFICE OF BANKS AND REAL ESTATE

## NOTICE OF PUBLIC INFORMATION

## NOTICE OF FINE IMPOSED UNDER

## THE RESIDENTIAL MORTGAGE LICENSE ACT OF 1987

Pursuant to Section 4-5(g) of the Residential Mortgage License Act of 1987 ("the Act"), 205 ILCS 635/4-5(g) (1998), notice is hereby given that the Commissioner of the Office of Banks and Real Estate of the State of Illinois has issued a fine of \$500.00 dollars against Colonial Bank of Montgomery, Alabama, License No. 5823, a licensee under the Act, for violating the terms of the Act and the rules and regulations adopted thereunder, effective June 18, 2001.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of June 5, 2001 through June 11, 2001 and have been scheduled for review by the Committee at its June 12, 2001 or July 10, 2001 meetings in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
7/19/01	Department of Nuclear Safety, Fees for Radioactive Material Licenses and Registrants (32 Ill Adm Code 331)	4/20/01 25 Ill Reg 5572	6/12/01
7/21/01	Department of Human Services, Alcoholism and Substance Abuse Treatment and Intervention Licenses (77 Ill Adm Code 2060)	4/6/01 25 Ill Reg 4742	7/10/01
7/21/01	Department of Human Services, Temporary Assistance for Needy Families (89 Ill Adm Code 112)	4/13/01 25 Ill Reg 5203	7/10/01
7/21/01	Department of Human Services, Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)	4/13/01 25 Ill Reg 5162	7/10/01
7/21/01	Department of Human Service, General Assistance (89 Ill Adm Code 114)	4/13/01 25 Ill Reg 5188	7/10/01
7/21/01	Department of Human Services, Food Stamps (89 Ill Adm Code 121)	4/13/01 25 Ill Reg 5175	7/10/01
7/22/01	Department of Natural Resources, Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping (17 Ill Adm Code 570)	4/13/01 25 Ill Reg 5228	7/10/01
7/22/01	Department of Natural Resources, Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck	4/13/01 25 Ill Reg 5236	7/10/01



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

7/25/01	(Groundhog) Hunting (17 Ill Adm Code 550)	9/1/00 24 Ill Reg 13194	7/10/01
	Department of Public Health, Health Care Professional Credentials Data Collection Code (77 Ill Adm Code 965)		





